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THE PORT ELIZABETH DISTURBANCES  
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GARY FRED BAINES

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## Abstract

Chapter one suggests that trade and merchant capital, which were crucial to Port Elizabeth's economic development during the nineteenth century, was subsumed by the rise of manufactures and industrial capital after the First World War. Industrial expansion was cut short by the post-war recession, which caused un- and under-employment. The black worker, who experienced a severe loss in real earnings on account of the increased cost of living, became involved in a struggle with employers for wage increases. Chapter two shows how the policy of segregation was applied in Port Elizabeth, which meant that the workers were subjected to an increasing degree of control and regulation of their daily lives. The conditions of reproduction in the black townships fostered inter-racial and cross-class mobilisation which culminated in the formation of a general labour union, the Port Elizabeth Industrial and Commercial Workers' Union (PEICWU). Chapter three will suggest links between the tradition of worker resistance and the unionisation of black workers in Port Elizabeth in the post-war period. Thus, the first three chapters attempt to provide a historical perspective for analysing the underlying causes of the 1920 Port Elizabeth disturbances.

The immediate cause of the disturbances was the arrest of the Union leader, Masabalala, after he called for a general strike. Chapter four will show how the intervention of the local authorities provoked a spontaneous act of defiance on the part of Union members. A demonstration outside the Baakens Street Police Station to demand the release of Masabalala, precipitated the tragic shootings of 23 October 1920. The repressive violence which left 22 dead (with two further deaths resulting indirectly from the incident) was unprecedented in South African history. The resolution of the crisis brought the workers no nearer to obtaining a reasonable settlement of the wage issue. If anything, the resolve of employers to deny wage demands was hardened by the actions of the local authorities, who

attributed the disturbances to 'agitation'. Such thinly-disguised justifications of the shootings by the dominant classes, however, provoked recriminations from other quarters.

Chapter five examines the legal and political ramifications of the Port Elizabeth shootings. The circumstances of the shootings prompted the Smuts Government to appoint a Commission of Enquiry in the face of public pressure. The Commission found that the Police and vigilantes were largely to blame for the high death toll. But the Government's 'whitewash' of the findings could not absolve the Police from culpability entirely, nor could it sidestep its own responsibility and liability to victims of the shootings.

Finally, in Chapter six, an attempt will be made to assess the long term impact of the shootings on the PEICU and the black labour movement in Port Elizabeth generally. The outcome of the episode was a victory for employers, which dealt a body blow to worker organisation which only became resurgent in the 1950s.

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## Abbreviations

## a. Those used in the text:

APO	African Peoples' Organisation
ARM	Assitant Resident Magistrate
CID	Criminal Investigation Department
ICU	Industrial and Commercial Workers' Union of Africa
ICWU	Industrial and Commercial Workers' Union of Africa
IWA	Industrial Workers' Of Africa
LMS	London Missionary Society
MBA	Master Builders' Association
MMA	Midland Manufacturers' Association
MLA	Member of the Legislative Assembly
MOH	Medical Officer of Health
NAD	Native Affairs Department
NCO	Non-Commissioned Officer
NURHS	National Union of Railway & Harbour Servants
PECC	Port Elizabeth City Council
PECNMEA	Port Elizabeth Coloured and Native Municipal Employees' Association
PECOG	Port Elizabeth Chamber of Commerce
PEICWU	Port Elizabeth Industrial and Commercial Workers' Union
PEM	Port Elizabeth Municipality
PEMEA	Port Elizabeth Municipal Employees' Association
RM	Resident Magistrate
SANAC	South African Native Affairs Commission
SANNC	South African Native National Congress
SAP	South African Police
SAR&H	South African Railways & Harbours
SNA	Secretary for Native Affairs
VMB	Village Management Board

## b. Those used in the footnotes:

A./An.	Annexure
BTI	Board of Trade and Industries
CAD	Cape Archives Depot
CeA	Central Archives, Pretoria
CDT	Cape Daily Telegraph
CO	Colonial Office
EPH	Eastern Province Herald
G.	Government of the Cape Colony
ICS	Institute of Commonwealth Studies (London University)
IJAHS	International Journal of African Historical Studies
ISER	Institute of Social and Economic Research (Rhodes University)
JAH	Journal of African History
JSAS	Journal of Southern African Studies
JUS	Archives of the Secretary for the Department of Justice
MA	Master of Arts

MNW	Archives of the Secretary for the Department of Mines and Industries (Union)
NA	Archives of the Secretary for Native Affairs (Cape)
NTS	Archives of the Secretary for Native Affairs (Union)
OHSA	Oxford History of South Africa
PEA	Port Elizabeth Advertiser
1/PEZ	Archives of the Magistrate, Port Elizabeth
3/PEZ	Archives of the Town Clerk, Port Elizabeth
PhD	Doctor of Philosophy
RP	Republic [of South Africa] Parliament
SAGJ	South African Geographical Journal
SALB	South African Labour Bulletin
S.C.	Select Committee Report
SOAS	School of Oriental and African Studies
U./U.G.	Union Government

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### Introduction

Recent research has shown that the Eastern Cape frontier district has been an important formative area in shaping the growth of black resistance and opposition to white domination.<sup>[1]</sup> André Odendaal has argued for a line of continuity between the various forms that this resistance has assumed: tribal or primary resistance, early constitutional protest politics and African nationalism.<sup>[2]</sup> This argument suggests that whatever the strategy, in seeking to protect their interests against white domination, black objectives have been basically the same.<sup>[3]</sup> As Port Elizabeth's hinterland was subjected to the labour requirements of industrial capitalism, new forms of resistance emerged amongst Africans who became resident in the colonial town. Odendaal has stressed Port Elizabeth's pioneering role in the emergence of African political mobilisation in the Eastern Cape during the period 1880 to 1910.<sup>[4]</sup> Joyce Kirk has shown how African petty bourgeois leaders mobilised resistance against the practice of residential segregation by the Port Elizabeth Town Council during the 1880s.<sup>[5]</sup> However, the equally significant tradition of worker resistance has received scant attention, and little has been written about early black unions in Port Elizabeth.

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- [1] P. Maylam, A History of the African Peoples of South Africa, p. 110; S. Trapido, 'African Divisional Politics in the Cape Colony, 1884-1910', *JAH*, 9, 1 (1968), pp. 80-89.
- [2] A. Odendaal, Vukani Bantu!, pp. 286-7. Cf. D. Williams, 'African Nationalism in South Africa: Origins and Problems', *JAH*, xi, 3 (1970), pp. 371-2 and C.C. Saunders, 'The New African Elite in the Eastern Cape and Some Late Nineteenth Century Origins of African Nationalism', *ICS*, Vol. 1, No. 10 (1969-70), p. 49.
- [3] See, for instance, T. Ranger, 'Connections between primary resistance movements and modern mass nationalism in East and Central Africa', *JAH*, 9, 3 & 4 (1968). For a critique of continuities in resistance see W. Beinart and C. Bundy, Hidden Struggles in Rural South Africa, p. 28.
- [4] A. Odendaal, 'African Political Mobilisation in the Eastern Cape, 1880-1910' (PhD, Cambridge, 1983), p. 160.
- [5] J.F. Kirk, 'The African Petty Bourgeoisie, Cape Liberalism and Resistance to Segregated Housing in Port Elizabeth in the 1880s'. This unpublished paper comprises the first chapter of a projected PhD dissertation (University of Wisconsin, Madison) covering the theme of African resistance to residential segregation in Port Elizabeth during the period 1880-1910.

Certain writers in the Marxist tradition of South African historiography, regard proletarianisation as a necessary precondition for the development of worker organisation. The Simons, for instance, have described the prerequisites of unionisation as follows:

"for an effective trade union to arise, there must be a body of life-long wage earners, free to sell their labour, wholly dependent on wages without prospects of becoming independent producers, and aware of the benefits of collective bargaining." [6]

This argument has been refined in recognition of the fact that proletarianisation is an uneven process. It could now be stated in the following terms: the 'individual, informal and largely unorganised' resistance to exploitation, by partially proletarianised black wage earners, evolved into more formal and recognizable expressions of organised worker resistance by a fully proletarianised workforce. This study, however, will not presume that the mobilisation and organisation of black workers can be explained simply in terms of accelerated proletarianisation. Proletarianisation is not, in itself, an adequate concept by which to define and describe the collective action of black workers. It is essential to understand the nature of their resistance and specific patterns of mobilisation, in the context of the regional political economy.

The need to establish the relationship between worker resistance and organisation, has led to the elaboration of the concept of worker consciousness. An increasing number of historians have detected signs of worker consciousness very early in the response of rural migrants to their co-optation into the wage-labour market. [7] Charles van Onselen, for one, rejects the assumption that the political

[6] H.J. and R. Simons, Class and Colour in South Africa, p. 25; Cf. E. Webster (ed), Essays in Southern African Labour History, pp. 7, 112.

[7] See, for example, C. van Onselen, Chibaro, pp. 107-8, 122 and I. Phimister, 'Origins and Aspects of African Worker Consciousness in Rhodesia', in E. Webster (ed), Essays in Southern African Labour History, pp. 47-63.

consciousness of black workers should be assessed largely through the presence, or absence, of associations and organisations which manifestly articulate worker interests. He argues that their day-to-day responses in the work situation evinced a self-awareness of their position, as exploited workers, within the capitalist mode of production. Moreover, migrant workers, though not unionised, could and did participate in strike action.<sup>[8]</sup> Yet the partially proletarianised migrant workers still had a consciousness informed by their rural environment, for they were not entirely severed from the means of production.<sup>[9]</sup> Furthermore, it is, both semantically and historically, inaccurate to equate worker consciousness with the consciousness of workers, where the former manifests itself in individualistic day-to-day struggles, and the latter is taken to be the sum of individual consciousness and manifests itself in general worker mobilisation.<sup>[10]</sup> The consciousness of Port Elizabeth's black workers was the product of a particular historic configuration of local circumstances.

One of the reasons why areas such as the Eastern Cape have been neglected by historians, is because they have been regarded as peripheral to the main struggle of labour on the Witwatersrand. The Rand-centric nature of research on South African labour history has been justified on the grounds that the Witwatersrand 'exemplifies the South African social formation as a whole'.<sup>[11]</sup> Thus, recent publications have sought to show how the mines shaped some of the basic institutions of capitalism, including a system of labour controls which made the organisation of black workers an extremely

[8] C. van Onselen, 'Worker Consciousness in Black Miners: Southern Rhodesia 1900-1920', *JAH*, 14, 2 (1973), pp. 237-8.

[9] W. Beinart, 'Worker consciousness, ethnic particularism and nationalism: the experiences of a South African migrant, 1930-1960', in S. Marks and S. Trapido (eds), The Politics of Race, Class & Nationalism in Twentieth Century South Africa, pp. 305-7.

[10] M. Goldberg, 'Worker Consciousness: A Formulation and a Critique', (unpublished paper, UCT, 1980), p. 36.

[11] B. Bozzoli (ed), Labour, Townships and Protest, p. 2

difficult undertaking.<sup>[12]</sup> But outside mining, structural imperatives differed and secondary industry generally was characterised by a very different division of labour. A rigid colour bar had not yet evolved by the early 1920s with the result that the relationship between white and black workers remained more fluid than on the mines. This study, which follows the theoretical approach used by Jon Lewis, is concerned to analyse the nature of the system of production wherein Port Elizabeth's workers and employers were located, as well as the strategy adopted by the emergent black labour unions in the immediate post-war period.<sup>[13]</sup>

The preoccupation with the Witwatersrand is particularly remarkable when it is remembered that the first national general union of black workers, the Industrial and Commercial Workers' Union (ICWU), was established in Bloemfontein. Aside from towns in the Orange Free State, local unions from the Cape also affiliated to the organisation. Its initial base of support was to be found in major centres such as Cape Town and Port Elizabeth. Its offshoot, the Industrial and Commercial Workers' Union (known as the ICU)<sup>[14]</sup> penetrated the Witwatersrand in the mid 1920s. At the height of its growth in the late 1920s, the greatest impact of the ICU was on the rural areas. Shula Marks and Stanley Trapido have recently hailed Helen Bradford's work on the ICU as an outstanding corrective to the Rand-centred nature of the research on black opposition

[12] See, for instance, F.A. Johnstone, Class, Race and Gold: a Study of Class Relations and Discrimination in South Africa.

[13] J. Lewis, Industrialisation and Trade Union Organisation in South Africa, 1924-1955, pp. 6-9, and *passim*. He sees trade union strategies as a response to the labour process or, alternatively, the labour process as setting the limits to trade union strategies. His work points to the need to go beyond production to the way in which the labour market has been segmented if we are to understand adequately the persistence of racial differentiation.

[14] The equation of the ICU with the ICWU is common. See, for example, P. Walshe, The Rise of African Nationalism in South Africa, pp. 72-6. The PEICWU, which was initially affiliated to the ICWU, joined forces with the Cape Town ICU in 1921 and this became the basis for a new national union known as the ICU. The ICU was not, strictly speaking, a successor because it was distinct from the ICWU and remained so. See p. 174 below.

movements.<sup>[15]</sup> It is to be hoped that this study of the Port Elizabeth Industrial and Commercial Workers' Union (PEICWU) may contribute to our understanding of the reasons for the birth of black labour unionism in South Africa.

The mobilisation of Port Elizabeth's black workforce has been seen as part of the unprecedented upsurge of black worker militancy in the post-war period and, as such, symptomatic of a nation-wide phenomenon. Robin Bloch suggests that 'the conditions and contradictions underlying this militancy are well-known', but fails to realise that the generalisations have not been subjected to close analysis.<sup>[16]</sup> For, as Albert Grundlingh has pointed out, the assumption that the War contributed to the rising tide of militancy 'has not been demonstrated except for rather vague statements'.<sup>[17]</sup> Belinda Bozzoli, too, has warned of the need to avoid 'the hackneyed explanation of every expression of working class discontent' by falling back on clichés like the contradiction between capitalist and pre-capitalist modes of production and sees a need to document every facet of the complex process of proletarianisation.<sup>[18]</sup> While it is an assumption of this work that a study of a particular community aids our understanding of the wider social process, there can be no substitute for the in-depth analysis of local conditions. However, comparative regional studies do provide a perspective which can aid our understanding of the circumstances prevailing in Port Elizabeth.<sup>[19]</sup>

- [15] S. Marks and S. Trapido (eds), The Politics of Race, Class & Nationalism in Twentieth Century South Africa, p. 38, p. 67 n. 126. Bradford's thesis, 'The Industrial and Commercial Workers' Union of Africa in the South African Countryside, 1924-1930' (PhD, Wits, 1985), is due for publication shortly.
- [16] R. Bloch, 'The cost of living: the Port Elizabeth Disturbances of October 1920', Africa Perspective, 19 (1981), pp. 39-40.
- [17] A. Grundlingh, Fighting Their Own War, p. 150.
- [18] B. Bozzoli (ed), Labour, Townships and Protest, p. 6.
- [19] P. Bonner's work on this period is particularly instructive. See, especially, his 'The 1920 Black Mine Workers' Strike: a preliminary account' in B. Bozzoli (ed), Labour Townships and Protest, pp. 279-82 and 'The Transvaal Native Congress: the radicalisation of the black petty bourgeoisie on the Rand' in S. Marks & R. Rathbone (eds), Industrialisation and Social Change in South Africa: African Class Formation, Culture and Consciousness, 1870-1930, pp. 272-8.

The conditions of reproduction of Port Elizabeth's black working class cannot be analysed in isolation from the wider social formation. Paul la Hausse questions whether it is feasible to 'even begin to talk about self-conscious class-based urban cultures in South Africa',<sup>[20]</sup> while Bozzoli asserts that 'cultural and political expressions of subordinate classes are usually fused in popular alliances between workers and the bourgeoisie'.<sup>[21]</sup> This raises the question of the relationship between community formation and class consciousness. Certain writers have suggested that communities are inventions of the petty bourgeoisie who mobilised support on matters of common interest and, thereby, obscured class cleavages. 'Community' is seen thus as existing in some kind of relationship of tension with class, as perhaps a factor which diverts the subordinate classes from pursuing their real interests. Others treat community as a concrete reality which may in certain circumstances enhance rather than contradict the class consciousness of its members.<sup>[22]</sup> This study explores how the consciousness of Port Elizabeth's emergent African classes was shaped in the process of the struggle with the dominant classes. It also seeks to understand their interaction with the wider community.

This study suggests that the authorities in Port Elizabeth, generally, represented the vested interests of the locally dominant classes. The historical experiences of South African towns suggest that social stratification and relations to power at local level cannot be 'simply reduced or equated with those occurring at national level'.<sup>[23]</sup> In seeking to understand what form the larger process of state control assumed at the local level, this study utilises the

[20] P. la Hausse, 'The Struggle for the City: Alcohol, the Ematsheni and Popular Culture in Durban, 1902-36' (MA, UCT, 1984), p. 6.

[21] B. Bozzoli (ed), Town and Countryside in the Transvaal, p. 41.

[22] For a fuller treatment of the debate about the relationship between community and class, see B. Bozzoli (ed), Class, Community and Conflict, pp. 4-8.

[23] P. Wilkinson, 'The "Local State" as a conceptual problem: An Exploration of Some Recent Marxist Work', p. 8 cited in P. la Hausse, 'The Struggle for the City', p. 10.

concept of the 'local state' in order to explain the relative autonomy of local government authorities. In the case of Port Elizabeth the Superintendent of Natives (of New Brighton Location), the District Commandant of the South African Police (SAP), the Resident Magistrate and the Mayor invariably acted in consultation with one another and without reference to central government. A corollary of this devolution of power was that it limited the degree of responsibility by the Government for the actions of the local authorities. In order to assess responsibility for the Port Elizabeth shootings, it has to be shown whether decisions taken by the local state were in response to pressures from central government or not, and to what extent the local authorities saw themselves upholding law and order as a legitimate function of the state.

Official records tend to be more abundant at moments of confrontation between the state and oppositional movements. It is still unusual to find a fairly complete run of detailed accounts of the meetings of an opposition movement over a prolonged period, as did William Beinart and Colin Bundy, in the case of the Independent ICU in East London.<sup>[24]</sup> There is a relatively large untapped collection of documentation relating to the Port Elizabeth disturbances of October 1920, but it provides little information on the organisation and functioning of the PEICWU. Most of the evidence dates from after the shootings and, more often than not, attempts to justify the actions of the authorities. Because of the reliance on official sources which reflect the viewpoint of the dominant classes, this study does not purport to be a 'history from below'. Nonetheless, my understanding of the subject has been influenced by recent South African historical writing in which the way 'ordinary' people experience social reality has been highlighted.

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[24] See Note on Sources to 'The Union, the Nation and the Talking Crow' in W. Beinart and C. Bundy, Hidden Struggles in Rural South Africa, pp. 318-9.

The number of 'ordinary' people who lived in Port Elizabeth in the 1920s and are still alive would appear to be few and far between. Unfortunately, the tense political situation in the Port Elizabeth townships created further problems in interviewing blacks who might have had recollections of the disturbances. Attempts to trace the family of the main protagonist in the events described in this work, Samuel Masabalala, [25] led to Grahamstown but, thereafter to a dead end.

Reference is made to the Port Elizabeth disturbances by people who were involved in the labour movement, but were not necessarily participants in the events. The only extant example of such an account by a contemporary trade union leader is Clement Kadalie's autobiography, [26] but his version of the events was coloured by an obvious antipathy towards Masabalala, the leader of the Port Elizabeth Union, with whom he had fallen out. Other accounts from within the labour movement tend to portray the ICU as a failure from which lessons could be drawn, rather than as a product of its times. The early chapters of the work by one-time communist, Edward Roux, were written for night schools serving the emerging African trade union movement in the 1930s and 1940s. [27] Another work which falls into this category is that by Jack and Ray Simons, whose years of experience of teaching in night schools gave them a unique insight into and sympathy for the needs of the workers. [28] But it is precisely because of their commitment that their accounts have been construed as conscious attempts to rewrite the history of the dispossessed and exploited. Whether deemed polemical or not, the work of these activists constitute valuable contributions to the charting of new ground in South African labour history.

[25] For biographical details of the leader of the PEICWU/ICU, see Chapter 3 below.

[26] C. Kadalie, My Life and the ICU, pp. 51-3.

[27] E. Roux, Time Longer than Rope, pp. 156-7.

[28] Simons, Class and Colour in South Africa, pp. 241-3.

More specialised academic works include two seminal papers by Sheridan Johns, which situate the Port Elizabeth disturbances within the broader context of the activities of the ICWU/ICU.<sup>[29]</sup> The most detailed study of the ICU published to date is the work by Peter Wickins, which includes an accurate account of the events which culminated in the shootings.<sup>[30]</sup> Given the broad scope of their subject matter, even the above works are rather superficial and do not go much beyond sequential narration in providing an explanation of the events. The only article which deals specifically with the topic of this study is that by Bloch, who suggests the need to subject the events to a historical materialist or class analysis. However, given his own admission of the paucity of evidence consulted, Bloch begs more questions than he answers.<sup>[31]</sup> Even the above accounts, rely entirely on published records such as government papers, newspapers, and other secondary sources. It is to be hoped that the consultation of primary sources will go some way to checking the inaccuracies that have found their way into textbooks and other general works on South African history.

Errors have been perpetuated by the authors of works who have relied on certain of the published accounts of the 1920 Port Elizabeth disturbances. Aside from their understandably superficial treatment of the subject, certain types of common errors occur in their accounts thereof. These include considerable inaccuracy in relating the events which precipitated the shootings,<sup>[32]</sup> understating the number of fatalities arising from the shootings,<sup>[33]</sup> mistaking the

[29] S.W. Johns, 'The Birth of Non-White Trade Unions in South Africa', Journal of Social Studies, XXIII, 3 (1967), pp. 173-192; 'Trade Union, Political Pressure Group, or Mass Movement? : the Industrial and Commercial Workers' Union of Africa' in R. Rotberg & A. Mazrui (eds), Protest and Power in Black Africa, pp. 695-754.

[30] P. Wickins, The Industrial and Commercial Workers' Union of Africa is an abridged version of his PhD thesis (UCT, 1973). Reference is made to both works in my footnotes.

[31] R. Bloch, 'The high cost of living', pp. 39-59.

[32] D. Ncube, The Influence of Apartheid and Capitalism on the Development of Black Trade Unions in South Africa, p. 31.

[33] T.R.H. Davenport, South Africa: A Modern History, p. 263; P. Maylam, A History of the African People of South Africa, p. 160. See Appendix C.

identity of the strikers and the victims of the shootings.<sup>[34]</sup> Otherwise, the disturbances are attributed, rather simplistically, to poor race relations.<sup>[35]</sup> Because this study makes use of previously untapped sources, it is hoped that it can dispel common factual errors and shed new light on the disturbances. While the foregoing publications provided a starting point for the research for this thesis, it is intended that this study will provide the first in-depth analysis of the underlying causes and significance of the disturbances.

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[34] E. Walker, A History of Southern Africa, p. 587.

[35] D.W. Kruger, The Making of a Nation, p. 128.

Chapter 1: The Economic Development of Port Elizabeth,

c. 1820 - 1920

This chapter will describe the impact of the incorporation of the Eastern Cape into the world economy and the changing place of Port Elizabeth within the national economy. For much of the nineteenth century Port Elizabeth remained primarily an entrepôt, and her harbour traffic fluctuated in accordance with variations in the colonial economy. Thus, there was a correlation between the volume of trade which passed through Algoa Bay and the prosperity of the town. Even with the produce trade being dwarfed by the transit trade to the Witwatersrand during the 1880s, and the stimulus that mining provided for secondary industry, commerce remained the mainstay of the local economy. It was not until the advent of the First World War that large scale industrialisation was stimulated by the growth of manufacturing in Port Elizabeth.

The Growth of Trade and Commerce in the Nineteenth Century

The periodisation of Port Elizabeth's economic development that follows is based largely on the researches of Alan Mabin,<sup>[1]</sup> and, to a lesser extent, of Jon Ingg.<sup>[2]</sup> Port Elizabeth's initial economic expansion centred on the growth of commercial wool farming in the hinterland, for the town was well situated to take advantage of a rapidly growing export trade.

It was as beach workers in Algoa Bay that African labour was first employed to any great extent in Port Elizabeth. From the late 1830s the Khoikhoi were supplanted by the Mfengu, who were regarded as more

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- [1] His PhD thesis, 'The Making of Colonial Capitalism: Intensification and Expansion in the Economic Geography of the Cape Colony, 1854-99' has resulted in three articles: 'Concentration and Dispersion in the Banking System of the Cape Colony, 1854-99', SAGJ, 67, 2 (1985); 'The Course of Economic Development in the Cape Colony, 1854-99: A Case of Truncated Transition', African Studies Seminar, Wits, 1985; and 'The Rise and Decline of Port Elizabeth, 1850-1900', IJAHS, 19, 2 (1986).
- [2] His MA thesis, 'Liverpool of the Cape: Port Elizabeth Harbour Development, 1820-70', has resulted in the publication of an article by the same title in the SA Journal of Economic History, 1, 1 (1986) and 'The Mfengu and Port Elizabeth Harbour Development, 1820-70', Contree, 27 (1986).

sober and industrious.<sup>[3]</sup> They remained numerically preponderant in Port Elizabeth until the Cattle Killing provided an influx of Xhosa refugees from Kaffraria who were readily engaged at towns in the eastern Cape.<sup>[4]</sup> The impoverishment which accompanied the conquest and appropriation of land and cattle from the Xhosa accelerated their incorporation into the economic system of the Colony. Even those not entirely cut off from an independent means of subsistence in the rural reserves provided a potential source of migrant labour. However, the fact that migrancy predated the subjugation of African chiefdoms and the mineral discoveries suggests that it was not, simply, a system of coercion devised by capitalists. Delius has, for instance, identified Port Elizabeth as a target of Pedi migrant labourers as early as the 1860s.<sup>[5]</sup> One effect of the incorporation of an increasing number of Africans into the colonial economy was the emergence of a labour market. The Cape Government introduced a system of pass laws to correlate the demand and supply of labour. It also resorted to coercion in the form of a poll tax payable in cash and the Masters and Servants laws which made desertion a criminal, rather than a civil, offence.<sup>[6]</sup> Nevertheless, throughout Port Elizabeth's boom period the demand for labour exceeded the supply.

In the mid 1860s depressed wool prices and contracting markets caused a recession in the Cape economy, which showed that it was subject to the vagaries of the international economy. However, the diamond trade in the late 1860s provided renewed confidence for investment in the colonial economy. When Inggs contends that the decline of Port Elizabeth was inevitable after the opening up of the Kimberley diamond fields,<sup>[7]</sup> he ignores the evidence that trade increased and wool prices rose from 1868. Moreover, the recovery provided a fresh stimulus to a whole range of economic activities. Many of Port Elizabeth's merchants diversified their operations and established

[3] Inggs, 'Mfengu Beach Labour', p. 8.

[4] S. van der Horst, *Native Labour in South Africa*, p. 28.

[5] P. Delius, *The Land Belongs to Us*, pp. 64, 66, 77.

[6] C. Bundy, 'The Abolition of the Masters and Servants Act' in A. Hare, et al, *South African Sociological Analysis*, pp. 373-9; N. Bromberger and K. Hughes, 'Capitalism and Underdevelopment in South Africa' in J. Butler, R. Elphick and D. Welsh (eds), *Democratic Liberalism in South Africa*, pp. 205, 221.

[7] Inggs, 'Liverpool of the Cape', p. 98.

themselves amongst the leading buyers of diamonds. In fact, the diamond fields became the most important single inland market for colonial merchants. Further fluctuations in the wool price, and soaring diamond production resulted in the latter exceeding the value of exports of the former in 1878.<sup>[8]</sup> Thus, Port Elizabeth's dependency on export-oriented pastoral farming of the hinterland was changed as a result of interaction with the regional economy.

However, the failure to raise sufficient local capital to meet the needs of an expanding economy created a dependency on imperial sources. Two imperial banks - the Standard and the London and South African - established their Cape head offices at Port Elizabeth during the early 1860s and absorbed local financial institutions.<sup>[9]</sup> The advent of the imperial banks brought greater financial security to business ventures in the Colony, for local banks had previously often overextended themselves in boom periods and became vulnerable to take-over during periods of recession. However, even with the Standard Bank (which subsequently amalgamated with the London and South African Bank) centred on Port Elizabeth until the 1880s, her merchants could not compete with their Cape Town counterparts who had more ready access to the corridors of political power and, hence, government revenue for harbour and transport facilities.<sup>[10]</sup>

Port Elizabeth owed its reputation as the 'Liverpool of the Cape' to its enormous importance as the premier trade and financial centre in the Colony. In spite of the fact that her trade eclipsed that of Cape Town by 1856 and continued to do so throughout the nineteenth century, Port Elizabeth had inferior harbour facilities. The Cape Government did not give serious consideration to providing the

[8] Mabin. 'The Making of Colonial Capitalism', pp. 106-126 and 'The Rise and Decline of PE', p. 290.

[9] J. Henry, The First Hundred Years of the Standard Bank, pp. 2-6.

[10] Mabin, 'The Banking System of the Cape Colony', pp. 146-7; Cf. T.R.H. Davenport, 'The Consolidation of a New Society: the Cape Colony' in OHSA, I, p.327 n.3, who is of the opinion that there were no grounds for Eastern Cape Separatist claims of disparity in the allocation of funds for public projects.

necessary capital for building a breakwater, and various privately financed schemes to erect jetties proved failures.<sup>[11]</sup> Port Elizabeth's leading role as an export harbour was further diminished by the outcome of the railway politics which, in tandem with the recession of the early 1880s, caused a decline in transit trade. Mabin details how factors such as a slump in the Kimberley market, a succession of poor wool seasons, the collapse of ostrich feather prices, and the loss of a large part of their interior trade, coalesced to undermine the position of Port Elizabeth's merchants.<sup>[12]</sup>

The discovery of gold on the Witwatersrand attracted large-scale investment by international capital, as well as a commitment by the colonial government to investment in the northward expansion of the commercial economy. However, the inability of the Cape government to control the direction of interior development and trade, forced the colonial ports to have to compete with Durban and Lourenco Marques. Thus, Port Elizabeth's share of the transit trade was determined to a large extent by political rather than economic factors and despite her superior access to the interior. As the transit trade outstripped the export value of pastoral produce such as wool, angora hair, hides and ostrich feathers, the boating companies expanded their operations and the merchant houses increased the scale and number of their storage facilities. Despite the growth of Port Elizabeth and the development of a sizeable market, commercial concerns diverted capital from the local retail trade, and invested in the potentially lucrative gold mines.<sup>[13]</sup>

Mabin attributes the decline of Port Elizabeth in the 1890s to a process of underdevelopment of the colonial economy initiated by the reorientation of colonial capitalism to the Witwatersrand. The concomitant neglect of the internal intensification of productive activity in all sectors of the Cape economy further hampered growth. Although still essentially a commercial centre, the prospects of manufacturing industries in Port Elizabeth were not

[11] Mabin, 'The Rise and Decline of PE', pp. 275, 289; Inggs, 'The Liverpool of the Cape', pp. 86-9.

[12] Mabin, 'The Rise and Decline of PE', p. 298.

[13] *Ibid.* pp. 299-302.

explored, because financial assistance was not forthcoming. The Cape Government failed to marshal resources available to the development of production, and to encourage diversification or specialisation in the increasingly significant manufacturing sector.<sup>[14]</sup> Local industries, which processed local agricultural products or imported raw or semi-processed materials, remained generally small and undercapitalised. However, they were able to expand under the stimulus of natural protection afforded by the South African War (1899-1902).<sup>[15]</sup>

Until the turn of the century, employment in Port Elizabeth was an almost direct function of the volume of trade and, to a lesser extent, small scale manufacturing. Algoa Bay, like the other colonial ports, handled an increased load of traffic during the War.<sup>[16]</sup> The British war effort provided additional employment for black workers in the transport services and industry, but mainly on a contractual basis. However, the imposition of martial law resulted in a degree of disruption in the working of the harbour, especially at night. The necessity of having to carry special passes and the introduction of a curfew restricted the movement of workers. The Harbour Board, other commercial employers and householders, claimed the need for constant and immediate access to labour. The first mentioned sought to solve the problem by housing its labour force in a compound on its property in South End.<sup>[17]</sup> After the War, Port Elizabeth had a surplus of unskilled labour and, accordingly, many workers did not have their contracts renewed. By 1908 it was noted that recruits could be obtained for work on the mines.<sup>[18]</sup> Thereafter, improved business prospects were cited as a reason for the fact that Labour Agents had desisted from visiting Port Elizabeth.<sup>[19]</sup>

[14] A. Mabin, 'The Course of Economic Development in the Cape Colony, 1854-99: A Case of Truncated Transition', pp. 34-5.

[15] B. Bozzoli, 'The Origins, Development and Ideology of Local Manufacturing in South Africa', *JSAS*, 1, 2 (1975), p. 196.

[16] *U.G.* 13 - '26, p. 8. Cf. figures published in the 36th Annual Report of the PECOC for 1920, pp. 51-2.

[17] Eastern Province Herald (hereafter EPH) 30 September 1902; A.J. Christopher, 'Race and Residence in Colonial PE', SA Geographical Journal, 69, 1 (1987), p. 11.

[18] G. 24 - 1908, p. 41; G. 19 - 1909, pp. 67-9.

[19] C. 7 - 1911, p. 347.

At a time when her share of the transit trade to the Witwatersrand was progressively reduced, Port Elizabeth's economic prospects came to be increasingly linked with manufacturing. In 1906 the Cape Colony had introduced a measure of tariff protection on goods such as boots, shoes, confectionary, soap and sugar with a view to stimulating local production. Port Elizabeth stood to benefit because she was a home to these manufactures. With unification came the introduction of uniform customs and railway tariffs which eliminated the rivalry for the transit trade to the Witwatersrand and contributed to an upturn in the local economy. In 1910 the Cullinan Commission was appointed to investigate the possibility of developing local industries. It recommended tariff protection if there was a reasonable chance of the industry becoming efficient when once established. The first Union Customs Tariff Act (26 of 1914), was mainly a revenue measure, but provided mild protection for a limited number of articles. However, the manufacturing sector still remained relatively poorly developed, contributing only 7% to the national income in 1911/2 compared with 28% for mining and 16% for agriculture. [20]

#### Industrialisation and the Impact of the First World War

The dislocation caused to international commerce by the First World War, transformed the Union's trade patterns. The decline in imports (in tonnage rather than value) during the war years was reflected in the figures for Algoa Bay: [21]

TABLE 1: IMPORTS AND EXPORTS VIA ALGOA BAY, 1914 - 1922

Year	Cargo Handled (tons)		Value of cargo (£)	
	Landed	Shipped	Landed	Shipped
1914	464 243	110 735	7 669 358	3 106 861
1915	273 986	155 942	6 933 950	3 210 901
1916	283 160	112 328	9 121 298	4 050 366
1917/8	176 638*	120 688*	7 471 638	4 203 640
1918/9	144 635*	123 323*	8 989 949	5 867 461
1919/20	198 470*	177 731*	9 054 608	11 275 423
1920/1	316 198*	103 434*	21 392 640	7 593 833
1921/2	188 057*	245 305*	10 258 587	4 511 871

\*Year ended 31 March. All other figures for year ended 31 December.

[20] C.W. de Kiewiet, A History of South Africa, p. 262; D. Hobart Houghton, The South African Economy, p.121; D. Innes, Anglo American and the Rise of Modern South Africa, pp. 113-9.

[21] C.G. 13 - 26, pp.8,9, 37-8, Annexure No. 3; 50th Annual Report of the PE Chamber of Commerce for the year ending 31 December, 1920, p. 52.

On the other hand, after the initial disruption of trade, the value of exports showed a steady appreciation during the war years. The war not only stimulated an internal market from which foreign competition was to a considerable degree eliminated, but also opened up a larger export market for South African produce. The value of agricultural and pastoral exports showed an increase of approximately 62% in real terms.<sup>[22]</sup> Wool made up the bulk of exports via Algoa Bay, and generally contributed more than half the value of exports during the war years. Apart from increased agricultural production by white capitalist farmers, the increase in exports can be attributed to the growth of secondary industry during the war years.

The disruption to the existing system of international trade had important ramifications for the manufacturing sector. Shortages in a whole range of manufactured goods went hand in hand with rampant price inflation. The increased cost of imported manufactured commodities made local manufacturers more competitive, whilst shortages of certain commodities created openings for local manufacturers who seized the opportunity to establish a foothold in the home market.<sup>[23]</sup> The result was the rapid expansion of the manufacturing sector. Its contribution to the national income rose to 9,6% (compared with 21,6% for agriculture and 20,3% for mining).<sup>[24]</sup> Lumby, however, argues that the impact of the First World War on the development of secondary industry has been exaggerated. He attempts to show that at least half of the expansion (measured in terms of the value of output) was due to the world-wide inflation of prices during the war years. Even after adjusting the figures in order to take this into account, he is still forced to conclude that the First World War provided the greatest stimulus to

[22] U.G. 40 - '19, p. 27; Grundlingh, Fighting Their Own War, p. 156.

[23] Board of Trade and Industries (BTI), Report No. 125, Cost of Living Inquiry (1931), pp. 89-90; Grundlingh, Fighting Their Own War, p. 151.

[24] BTI, Report No. 282, p. 11; Innes, Anglo, p.119.

manufacturing to date. [25]

The War certainly provided impetus to the development of manufacturing in Port Elizabeth. As the city had a sizeable market in its own right, factories which manufactured food and beverages, catered for local consumer demand. In addition, industries such as textiles and leather produced for an extra-regional market, and these had the potential for promoting wider industrial growth by stimulating the development of the service and tertiary sectors. [26] A reliable index to Port Elizabeth's development is provided by the growth in the number and size of industrial establishments. [27]

TABLE 2: INDUSTRIAL ESTABLISHMENTS AND OUTPUT  
IN PORT ELIZABETH, 1916/7 - 1920/1

Year	No. of establishments	Ave. no. of employees		Net output per establishment (£000)
		White	Black	
1916/7	182	12	11	1 966 939
1917/8	184	12	13	2 425 469
1918/9	187	13	15	2 624 505
1919/20	202	14	18	3 505 444
1920/1	211	12	17	3 544 355

These figures indicate a steady growth of 16% in the number of Port Elizabeth's manufacturers and 80% in their productive capacity, which compares favourably with the Union as a whole. Between 1916/7 and 1920/1, the number of factories and other manufacturing establishments increased from 4 777 to 6 077, an increase of 27%; whilst the net value of output increased by 58% during the same period. [28]

- [25] A.B. Lumby, 'Industrial Development prior to the Second World War' in F. Coleman (ed), Economic History of South Africa, pp. 201-3.
- [26] B.D. Phillips and C. de Coning, Secondary Industry in the Port Elizabeth/Uitenhage Region, p. 61.
- [27] Union of South Africa, Office of Census and Statistics, Special Report Series: Report on Industries in PE, 1915/16 to 1922/3, pp. 1, 2, 11.
- [28] Official Year Book, No. 6 (1910-1922), pp. 657-663; Coleman (ed), Economic History of South Africa, p. 202.

The growth of Port Elizabeth's workforce during the war years suggests that industrial expansion was labour intensive: [29]

TABLE 3: EMPLOYEES IN INDUSTRY IN PORT ELIZABETH,  
1915/6 - 1920/1

Year	White	Black	Total	Growth(%)
1915/6	1 721	1 516	3 237	--[30]
1916/7	2 170	2 030	4 200	+29,7
1917/8	2 204	2 354	4 558	+8,5
1918/9	2 461	2 304	5 265	+15,5
1919/20	2 822	3 693	6 515	+23,7
1920/1	2 604	3 570	6 174	-5,2

Port Elizabeth's growth rate in industrial employment between 1915/6 and 1919/20, in excess of 20%, was higher than the national average of 11% per annum. In spite of the dramatic increase in the number of black workers employed in secondary industry during the war years, whites still accounted for a higher proportion of the total workforce than in the mining and agricultural sectors. The fact that the number of white women employed in the manufacturing sector on the Witwatersrand increased by 181% between 1915/6 and 1919/20 would seem to suggest that if the First World War drained off skilled whites to the war effort, black workers filled few openings. [31] The foregoing suggests that the impact of the war on employment patterns should not be unduly overemphasised. In Port Elizabeth itself, limited opportunities existed for the employment of casual labour as the commercial and manufacturing sectors evinced a preference for a stable workforce. The majority of black males were employed by the Municipality, railways, stores and factories, whilst women were occupied mainly as domestic servants. Otherwise, blacks engaged in informal sector economic activities, deriving subsistence incomes as brewers of beer, laundresses, hawkers, and so on.

[29] Union of South Africa, Office of Census and Statistics, Special Report Series: Report on Industries in PE, 1915/6 to 1922/3, p. 2.

[30] 1915-6 was the first Industrial Census, therefore, there are no earlier figures for comparison.

[31] Grundlingh, Fighting Their Own War, p. 154.

Although the *per capita* wage of Port Elizabeth's black industrial workers increased by some 23% (as opposed to 75% for Whites) between 1915/6 and 1920/1, the proportion of wages paid out to black workers, during this period, remained fairly static: [32]

TABLE 4: INDUSTRIAL SALARIES AND WAGES PAID  
IN PORT ELIZABETH, 1915/6 - 1920/1

Year	Amounts paid to (£000)		Ave annual amount (£)		Proportion of total amount paid (%)	
	W	B	W	B	W	B
1915/6	186	83	115	55	69	31
1916/7	229	101	112	50	69	31
1917/8	246	113	119	48	69	31
1918/9	304	141	132	50	68	32
1919/20	434	225	163	61	66	34
1920/1	493	241	201	68	67	33

W = White    B = Black

By comparison to Port Elizabeth, the average annual wages paid to white and black workers respectively was £242 and £78 in the Cape Peninsula, and £335 and £46 on the Witwatersrand as against a national average of £279 and £50. The practice of paying a minimum wage to certain scheduled occupations was laid down in Act 29 of 1918, which stipulated that Wage Boards could fix minimum wages for certain occupations in different areas, and compel employers to pay the same. [33] This, however, did not apply to unskilled workers. The average weekly rates of wage paid to unskilled black workers, in Port Elizabeth during 1921, in the following sectors amounted to: [34]

Building	20s. 11d.
Trading	25s. 6d.
Municipal Service	26s. 10d.
Manufacturing	27s. 4d.
Printing	27s. 10d.
Engineering	33s. 0d.

[32] Union of South Africa, Office of Census and Statistics, Special Report Series: Report on Industries in FE, 1915/6 to 1922/3, pp. 4-5.

[33] CaA, MNW 548 3431/20, Memorandum re Conciliation and Arbitration between Employers and Employees in South Africa, December 1920.

[34] Official Year Book, No. 5 - 1921 (S.P. 22 - '22), p. 305; U.G. 11 - '26, p. 12.

Because of the less rigid racial division of labour in manufacturing, the wages of black workers were considerably higher than those paid to mineworkers and agricultural workers. However, it must be borne in mind that most workers in manufacturing had to pay the costs of subsistence - rent, food and transport - out of their wages. Furthermore, as the lowest paid sectors employed the largest number of unskilled black workers, a large percentage received the minimum wage of 4s. per day for men and 2s. for women. Moreover, the rise in the cost of living far exceeded wage increases during the war years. [35]

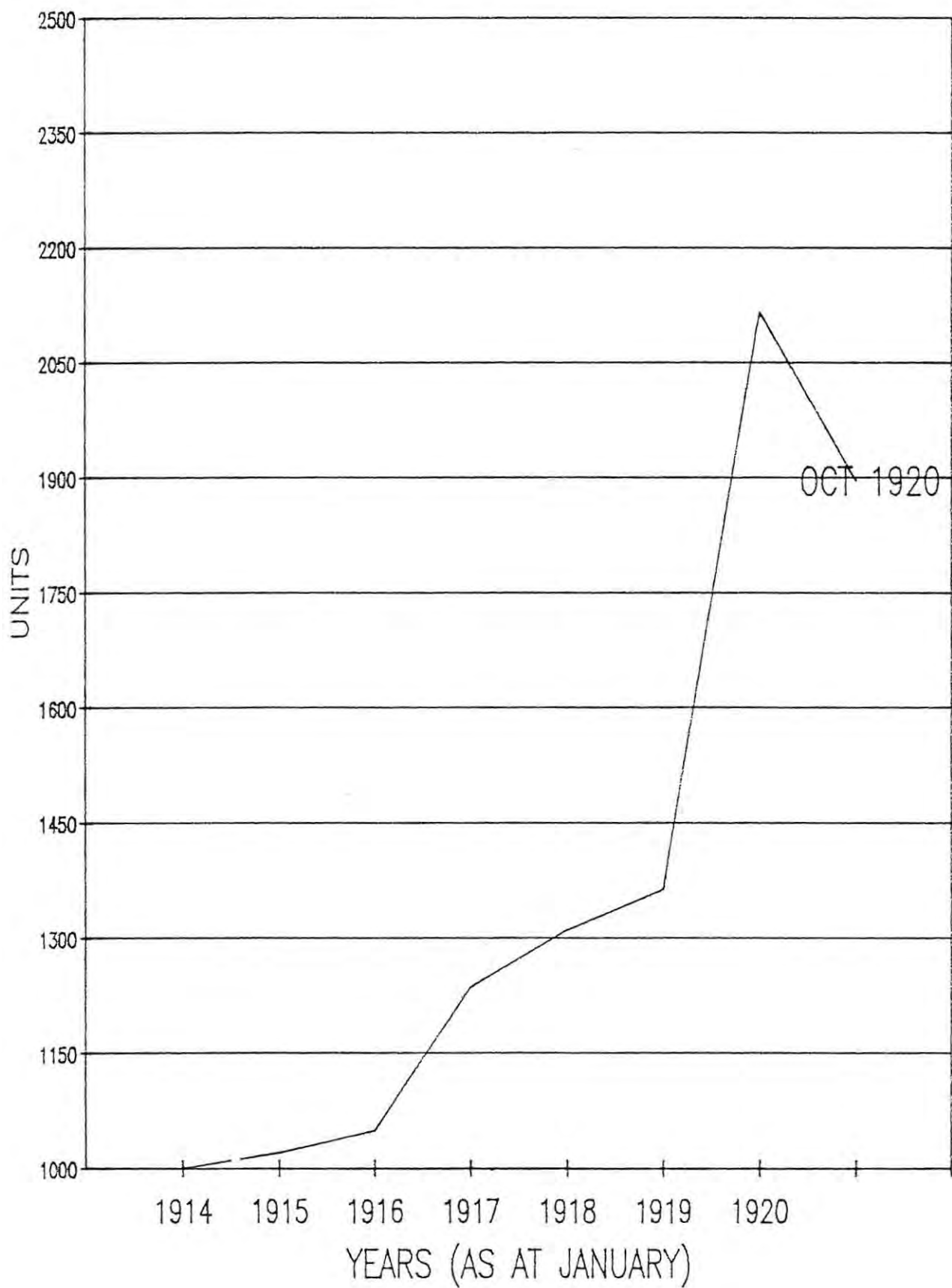
In Port Elizabeth, the cost of living index rose 69,2% between 1914 and 1920, reaching a peak in October of the latter year [see Figure 1]. [36] The effect of the inflationary spiral was felt hardest of all by the lower income groups. According to the Schweizer Commission, the "increase in the cost of foodstuffs and other necessities ordinarily consumed and used by natives was 105% between 1914 and 1920". [37] Its findings were based on figures submitted by the Port Elizabeth City Councillors who constituted a Committee which had been formed towards the end of 1920, to investigate the cost of living for blacks. They made a number of case studies and concluded that the expenses (food, fuel, rent and train fare) of an average New Brighton family for a week amounted to £1.4s.0d. and of a single man

[35] Report of the Commissioners appointed to enquire into the causes of, and occurrences at, the Native disturbance at Port Elizabeth on the 23rd October, 1920, and the general economic conditions as they affect the Native and Coloured population (Schweizer Commission - hereafter Ans. 113 - 1921), pp. 1-2 (paras 4, 8 and 9). See Appendix D.

[36] Office of Census and Statistics, Quarterly Return, SP 25, No. 5 (January 1921), p. 21. The cost of living index was calculated for an average European family on the basis of the following components: Food 39,7%; Fuel and light 4,4%; Rent 22,6%; Sundries (clothing etc.) 33,3%. While certain of these items might have comprised a different percent of the average black budget, the official figures provide the only basis for observations about the cost of living during these years.

[37] Ans. 113 - 1921, p. 2 (para. 8). See Appendix D for table with detailed breakdown of the items which constituted necessities. This consists only of food and clothing and makes no allowance for rent and commuting costs.

FIGURE 2: INDEX OF WHOLESALE PRICES OF MAIZE MEAL, 1914-1920  
(BASIS: AVERAGE PRICE AT JANUARY 1914 = 1 000 UNITS)



to £0.18s.6d. a week.<sup>[38]</sup> The staple diet consisted of maize, maize meal, animal fat, sugar, tea and coffee, while some figures included an allowance for a small quota of meat. The wholesale price of maize meal, which generally made up the greatest part of the African's food budget, rose in excess of 200% between 1914 and the last quarter of 1920 when the price reached its peak [see Figure 2]. This would, undoubtedly, have been passed on to the consumer, and contributed to the exorbitant price of staple foods paid by black wage earners. During the war period, the national average retail price of food - which comprised the largest component of the cost of living (39,7%) - had risen 77.7%, while that of Port Elizabeth, had risen 100%.<sup>[39]</sup> To make matters worse, internal prices of food tended to chase export prices and the purchasing power of the £SA depreciated by some 36% between 1914 and 1920.<sup>[40]</sup>

The price of food before the War was, on average, 46% more expensive in the Union than in the Britain, her major trading partner. By the end of 1919, however, food in Britain was only 1,5% more expensive than in the Union. Thus, a complete change in the relative price levels of foodstuffs between the two countries occurred during the War.<sup>[41]</sup> With the opening of overseas markets to South African goods, the Union became a net exporter of foodstuffs. The export of certain commodities at inflated prices at a time of local shortages led to charges of profiteering being levelled against the mercantile community. Large quantities of maize, for instance, were being exported in order to obtain foreign exchange earnings and greater profits than could be obtained in home markets.<sup>[42]</sup> Such charges were rejected as unsubstantiated by a Select Committee which evaluated the report of the Cost of Living Commission, but this

[38] CAD, 3/PEZ 1/2/1/25, Minutes of Standing and Special Committees, p. 499.

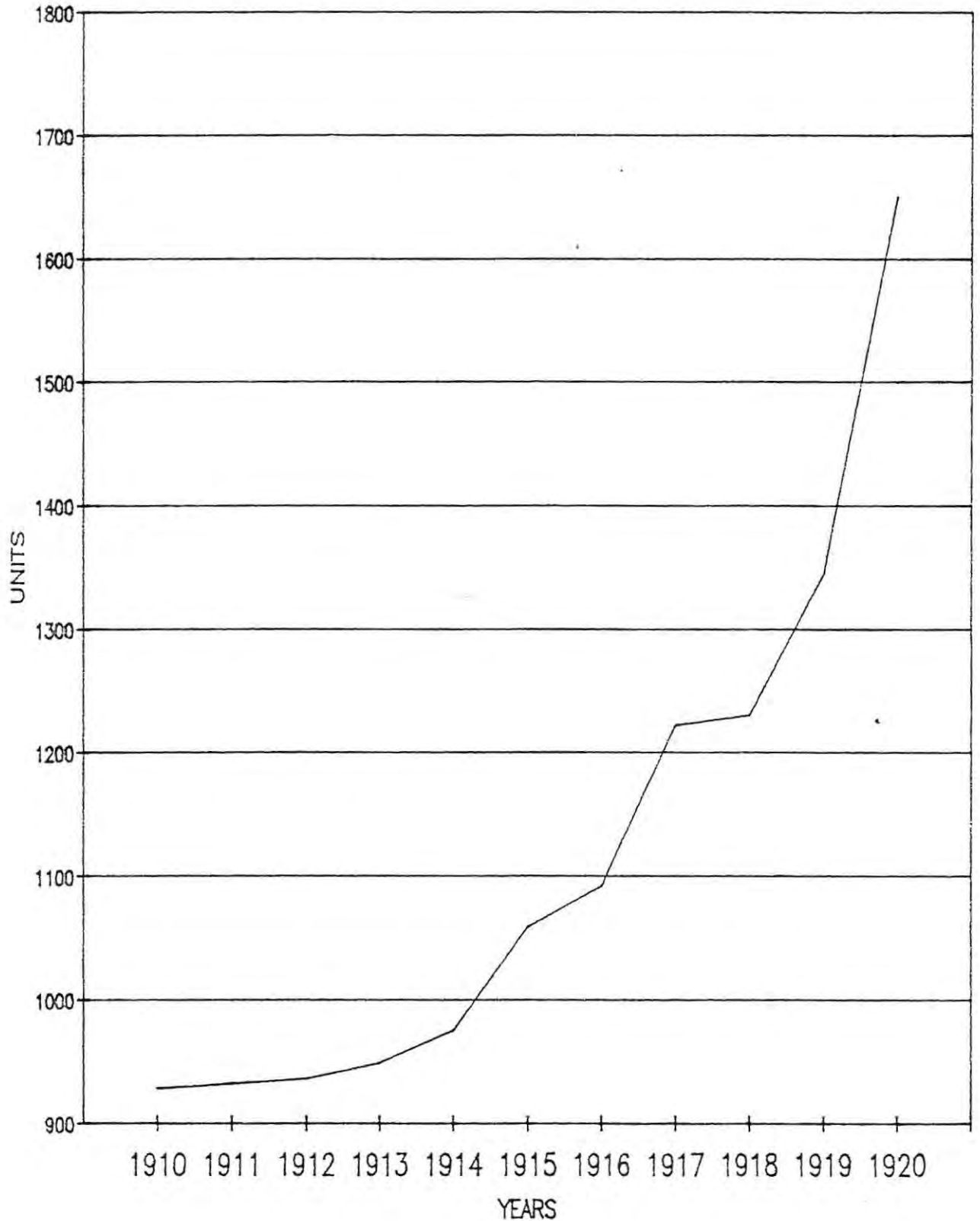
[39] SP 22 - 1922, p. 338.

[40] Office of Census and Statistics, Quarterly Return, SP 25, No. 5 (January 1921), p. 21.

[41] BTI 125/1931, pp. 89-91.

[42] Exports of maize increased by over 200% between 1913 and 1919. In the latter year 189 207 tons of maize and 133 939 tons of maize meal to the value of £130 000 were exported. BTI 125/1931, p. 90; U.G. 35 - 1920, p. 51.

FIGURE 1: INDEX OF COST OF LIVING IN PORT ELIZABETH, 1910-1920  
(RETAIL PRICES OF FOOD, FUEL, LIGHT AND RENT)  
(BASIS: WEIGHTED AVERAGE OF NINE PRINCIPAL TOWNS OF THE UNION 1910 = 1 000)



knowledge did not relieve the burden and frustration of the man in the street. [43] The following resolution, passed at a public meeting held in Port Elizabeth, captures the widespread concern with the inflated prices:

"this meeting of citizens of Port Elizabeth, representing all sections of the community, emphatically protests to the Government against the continued increase in the cost of the necessities of life owing to the systematic speculation in food stuffs, and demands that the Government take control of these commodities forthwith." [44]

Whether correctly informed or not, no amount of argument to the contrary could persuade public opinion that it was profiteering which caused the increased cost of living. A general manager of the merchant firm, Mosenthals, H J Harraway, rose to the defence of the commercial sector in his capacity as President of the PE Chamber of Commerce (PECOC). In his 1921 Presidential address, he claimed that the mercantile community should, in fact, receive credit for the post-war decline in the cost of living. He spoke of the merchant who

"has contributed liberally to the reduced cost of living. Profits are non-existent, losses serious, and overhead expenses remain as high as ever. Yet I think I am safe in saying that wages have not been reduced, and this community will endeavour to avoid such action as long as possible." [45]

Aside from its questionable claim (which I have been unable to substantiate without access to business records), this statement misses the essential point that the cost of living is linked to the distribution and consumption - as opposed to the production - of manufactured commodities and raw materials. It has been demonstrated by Kay that merchant capital is defined in terms of its involvement at the level of exchange rather than the level of production. Whereas the industrial capitalist is able to secure surplus value in terms of unrewarded labour in the production process alone, merchant capital must engage in unequal exchange in order to obtain profit. In short, merchant capital mediates between producer

[43] EPH 27 May 1919.

[44] EPH 6 June 1919.

[45] PE Chamber of Commerce, Annual Report 1921, p. xxxii.

and consumer. [46] This negates the argument, advanced by Harraway on behalf of the PECOC, that wage demands - which necessitate increased production costs having to be recouped by the producer - were the chief cause of inflation. [47]

#### The Post-War Recession

Although the end of the War did not bring an abrupt halt to South Africa's industrial expansion, the resumption of production in Europe soon threatened to eliminate a number of less competitive local industries. In Port Elizabeth, even the fairly well established industries such as the manufacturers of footwear, found themselves hard pressed to compete with European goods. The volume of imports via Algoa Bay, which increased about 60% between 1919/20 and 1920/1, confirmed this trend. An import backlog developed on account of inadequate landing facilities and caused the congestion of the harbour, which was only alleviated by December 1920. [48] Renewed pressure for the enclosure of Port Elizabeth's harbour led to the revival of a project to construct a southern breakwater. This had been shelved with the outbreak of the War, and its construction was not commenced until 1922. The prospect of a revival of overseas commerce appeared to threaten the continued expansion of the manufacturing sector.

A leading spokesman for the manufacturing sector, W J Laite, [49] had presumed that it would become necessary to counter attempts by the mercantile community to locate new and cheaper markets in Europe and elsewhere. [50] However, if the comments of the President of the PECOC were representative of the attitude of the commercial sector, it would appear that his prognosis was ill-founded. Commerce, in fact, wished to lend its weight to the promotion of local industry.

[46] G. Kay, Development and Underdevelopment (London, 1979), cited in S. Dubow, Land, Labour and Merchant Capital, pp. 6-7, 20-22.

[47] EPH 22 March 1921.

[48] CeA, PEA 241 A15/1/3. Letters from the Commissioner of Customs to the Secretary, PECOC, 9 September 1920 and from the Commissioner of Customs and Excise to the Secretary for Finance, 13 November 1920.

[49] For biographical information about Laite, see Bozzoli, The Political Nature of a Ruling Class, *passim*.

[50] Industrial South Africa, Vol. 13, No. 140, December 1918, p. 572. (Editorial).

Harraway criticised the government's policy for having the effect of fostering competition between manufacturers and merchants as being short-sighted, and detrimental, to the continued progress of the former. [51] With the flooding of the local market by imports, manufacturers lobbied increasingly for protection and sought to build on the first consolidated Union tariff introduced in 1914, the scale of which had been increased the following year. [52] Bozzoli has shown how manufacturers campaigned for protection for the infant industries developed during the War, and argues that ideology became the link between their economic ends and the political means they used to achieve them. Manufacturing was equated with patriotism and progress, while mining was portrayed as a regressive foreign influence. [53] In 1921 the Smuts Government responded by establishing the Board of Trade and Industries to redraft the Customs and Excise Tariffs and "to advise the government in respect of assisting and developing industries in the Union". [54] This would eventually give rise to the 1925 Customs Tariff Act which was enacted by the Pact Government and has been construed as the high water mark of protectionist legislation.

The major change in Port Elizabeth's economic development over the century encompassed by this chapter was the subsumption of merchant by industrial capital. In Bozzoli's view, the rise of manufactures was fostered by an alliance with commercial capital. She holds that the economic changes brought about by the War led to a series of complex political and ideological changes in the nature of merchant capital; in its organisation, representation, interest articulation, and its ideology. Merchant capital shook off its dependence on mining capital, and became closely enough allied to the interests of manufacturing for the two to form a solid partnership. Thus, the First World War and its aftermath provided the conditions for the

[51] EPH 10 June 1919.

[52] R. Christie, "'Slim Jannie' and the Forces of Production: South African Industrialization 1915-1925', ICS Papers, 8, 22 (Oct. 1976 - June 1977), p. 105.

[53] B. Bozzoli, 'The Origins, Development and Ideology of Local Manufacturing in South Africa', JSAS, 1, 2 (1975), p. 201.

[54] Union of South Africa, Board of Trade and Industries, Report no. 282, Investigation into Manufacturing Industries (Pretoria, 1946), p. 102, para. 326; Innes, Anglo, p. 122.

rise of national (manufacturing and commercial) capital to challenge the hegemony of imperial (mining) capital which had strenuously opposed local capitalist development.<sup>[55]</sup>

The growth of local capital and the increasing importance of the manufacturing sector led to a review of state policy with regard to black urbanisation and labour. The fact that wages were significantly higher in manufacturing than in the other sectors meant that it threatened to cause labour shortages to both agriculture and mining. While mining and agriculture demanded a supply of migrant and/or cheap labour, the dominant industrial and commercial interests in the towns preferred a stable urbanised African workforce. The resultant conflict of interests impelled the state to develop an elaborate system of pass laws through which it could effectively allocate labour between the different sectors.<sup>[56]</sup> While urban capital favoured a flexible application of influx controls it did, however, wish for the extension of social and political control over a growing industrial proletariat in urban areas. At the same time, however, the diverse and skilled operations of manufacturing industries were exceptionally favourable to the employment of white labour. It was to be the Pact Government, which was more concerned than the Smuts Government to address problems of white workers such as job insecurity, unemployment and poverty, that was to introduce the 'civilized labour' policy. Impoverished Afrikaners from the rural areas and English-speaking industrial workers found common ground in supporting a policy designed to protect white workers against competition from blacks in the industrial labour market, and in the encouragement by protective tariffs and other means of the development of local manufactures.<sup>[57]</sup>

[55] B. Bozzoli, The Political Nature of a Ruling Class, pp. 144-6; Cf. M. Lipton, Capitalism and Apartheid, p. 256ff who sees a shift from dominance by white agriculture and labour to mining interests in the period 1920-4. See D. Yudelman's criticisms of both the fractionalist and liberal-pluralist analyses, 'State and Capital in Contemporary South Africa' in J. Butler, R. Elphick and D. Welsh (eds), Democratic Liberalism in South Africa, pp. 252 and 260ff.

[56] M. Lacey, Working for Boroko, pp. 1,9.

[57] D. Hobart Houghton & J. Dagut (eds), Source Material on the South African Economy, Vol. 3: 1920-70, p. 3.

Employers, who were quick to use the argument that wage increases could not be justified in view of the drop in prices and cost of living caused by the post-war recession, had not been as keen to increase wages during the boom years of the War. Employers could make a case for maintaining current wage levels because the cost of living, and the prices of black staple foods especially, had begun to decline.<sup>[58]</sup> This trend was to continue: in the twelve months following October 1920, the retail prices of food fell nearly 30% and a further 18% during the following year [see Figure 3]. Their hand was also strengthened by an oversupply of unskilled workers. The accelerated tempo of economic activity during the War was probably insufficient to absorb the influx of migrant labour caused by poor harvests and drought in Port Elizabeth's hinterland and her labour catchment areas, especially during 1919/20.<sup>[59]</sup> Although unemployment statistics are unavailable (and notoriously unreliable), there is evidence of a surplus labour in Port Elizabeth after the war. By the end of 1920, there was certainly acute unemployment amongst unskilled black workers because local industries were no longer expanding their productive capacity.<sup>[60]</sup> Despite the fact that real wages were actually lower after the War than they had been before, wage levels were justified on the grounds that increases would necessitate the retrenchment of a proportion of the workforce. Employers, thus, responded to the post World War I crisis by seeking primarily not modification to the pattern of production relations, but cuts in real (and sometimes in monetary) wage levels.<sup>[61]</sup>

It became readily apparent that manufacturing and commerce wished to minimise wage increases. The view that manufacturers favoured higher wage levels because of the importance of the domestic market for their continued expansion and general economic growth, had not yet gained currency; and the need for substantial skilled black labour

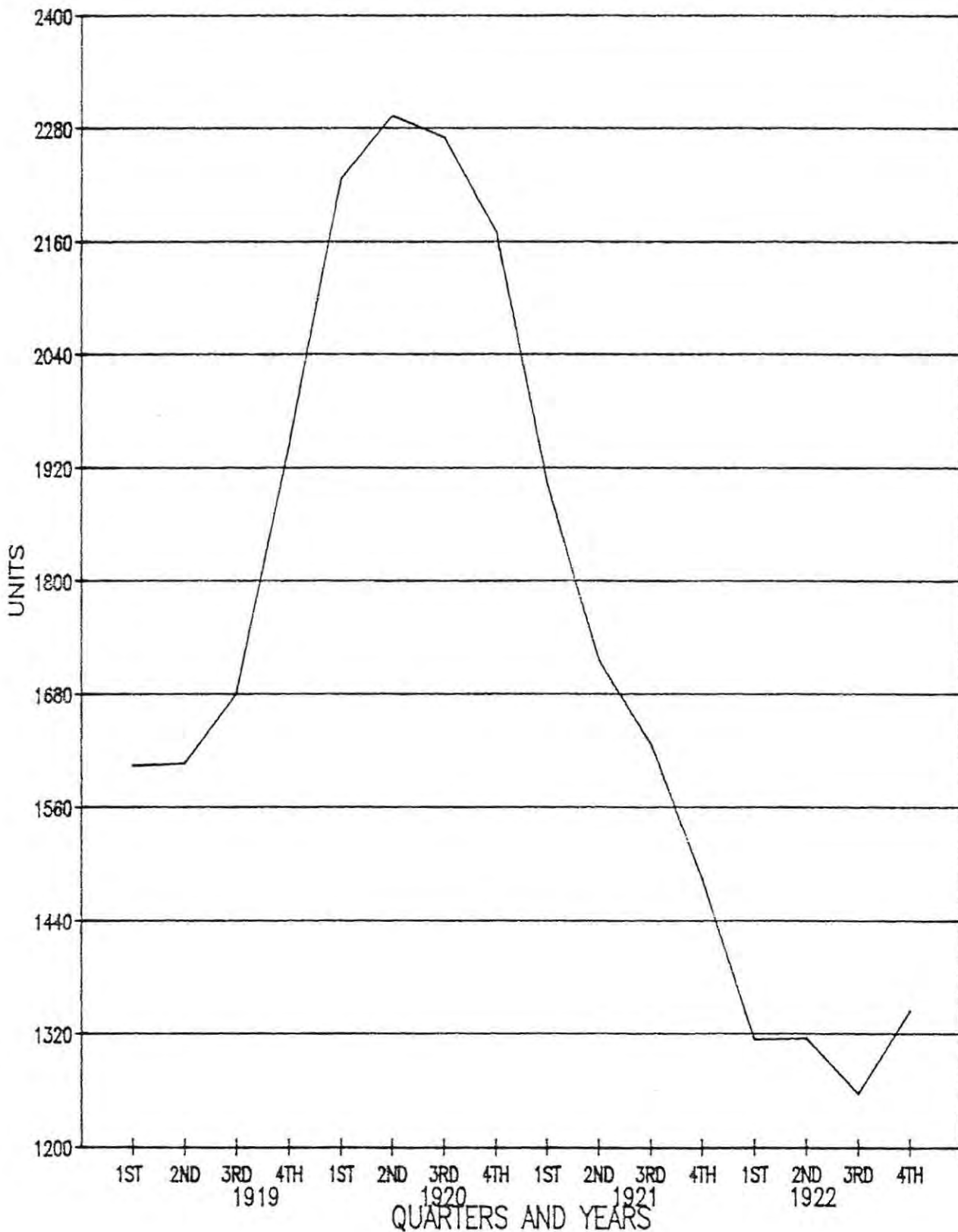
[58] Ans. 143 - 1921, p. 3 (para. 18).

[59] EPH 28 January 1920 ('Distress among Natives'); EPH 30 January 1920, p. 8 (Report of the Methodist Synod, Grahamstown); Beinart and Bundy, Hidden Struggles, p. 21

[60] CeA, JUS 285 1/543/20, Annual Report for 1920 of the PE Magistrate, 31 January 1921, pp. 4-5; U.G. 35 - '20, p. 56.

[61] R. Davies, 'The Class Character of South Africa's Industrial Conciliation Legislation' in E. Webster (ed), Essays in Southern African Labour History, p. 71.

FIGURE 3: COST OF FOOD IN PORT ELIZABETH 1919-1922  
 (BASIS: WEIGHTED AVERAGE OF NINE PRINCIPAL TOWNS = 1 000)



was still something of the future.<sup>[62]</sup> In Port Elizabeth in 1920, the surfeit of unskilled and semi-skilled labour meant that employers were in a position to resist demands for wage increases, unless wholesale mobilisation of the workforce could be effected. While employers in manufacturing and commerce might not have favoured extra-economic coercion to depress wage levels, it will be shown that they were not beyond exploiting the relative lack of bargaining power exercised by the black workforce. The intensified struggle between employers and black workers engendered mutual suspicion, and created a climate in which it became difficult to negotiate a minimum wage agreement for all those eking out a precarious existence in Port Elizabeth's townships.

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[62] U.G. 14 - '26, p. 161; Lipton, Apartheid and Capitalism, p. 180.

Chapter 2: The Social Conditions of Port Elizabeth's  
Black Community to 1920

The steady growth in Port Elizabeth's urban population in the second half of the nineteenth century suggests that this was closely related to the economic development outlined above: <sup>[1]</sup>

TABLE 5: URBAN POPULATION OF PORT ELIZABETH, 1855-1921

	Whites	Africans	Coloureds[2]	Asians	Total
1855	3 509		1 284		4 793
1865	6 940	1 716	2 117		10 773
1875	8 728	1 867	2 454		13 049
1891	13 297	3 931	5 147	891	23 266
1904	22 336	9 750	9 432	1 085	42 603
1911	18 973	8 058		12 746	39 777
1921	24 718	11 448	12 627	1 319	50 112

The number of Africans was, generally speaking, related to labour requirements. Africans comprised a relatively constant proportion of less than 20% of the total population until the turn of the century. The proportionately larger 1904 figure probably suggests that the contracts of a number of labourers employed during the South African War had not yet expired, and that the African population had grown in the intervening period. The relative decline in the proportion of Africans thereafter might be partly attributed to the non-renewal of contracts in the recession which followed the War. The increase after 1911 was possibly related to the subsequent economic growth, especially during the First World War. Although it does not necessarily follow that the census years were properly representative of the general trend in the interim periods, apart from short term

[1] A.14-'57 (1855); G.20-'66 (1865); G.6-'92 (1891); G.19-'05 (1904); U.G.32-'12 (1911); U.G.15-'23 (1921). The exclusion of Walmer, New Brighton and Korsten (the latter two from 1904) from official figures arbitrarily reduces the size of PE's urban black population. See Table 7 below. I have adjusted census figures so as to include these peri-urban areas. Cf. A.J. Christopher, 'Race and Residence in Colonial PE', *SAGJ*, 69, 1 (1987), p. 5, Table 1.

[2] The term 'Coloured' is that used in the twentieth century census classifications. The 1875 and 1891 censuses included in the category 'Coloured' all 'non-European' people, including 'Kafir proper'. The 1904 census, by contrast, distinguished between White, Bantu and 'Coloured'. See I. Goldin, 'The reconstitution of Coloured identity in the Western Cape', in S. Marks and S. Trapido (eds), *The Politics of Race, Class & Nationalism in Twentieth Century South Africa*, p. 158.

fluctuations, the growth of the black population showed a steady increase during the period to 1920.

#### Port Elizabeth's Inner Locations

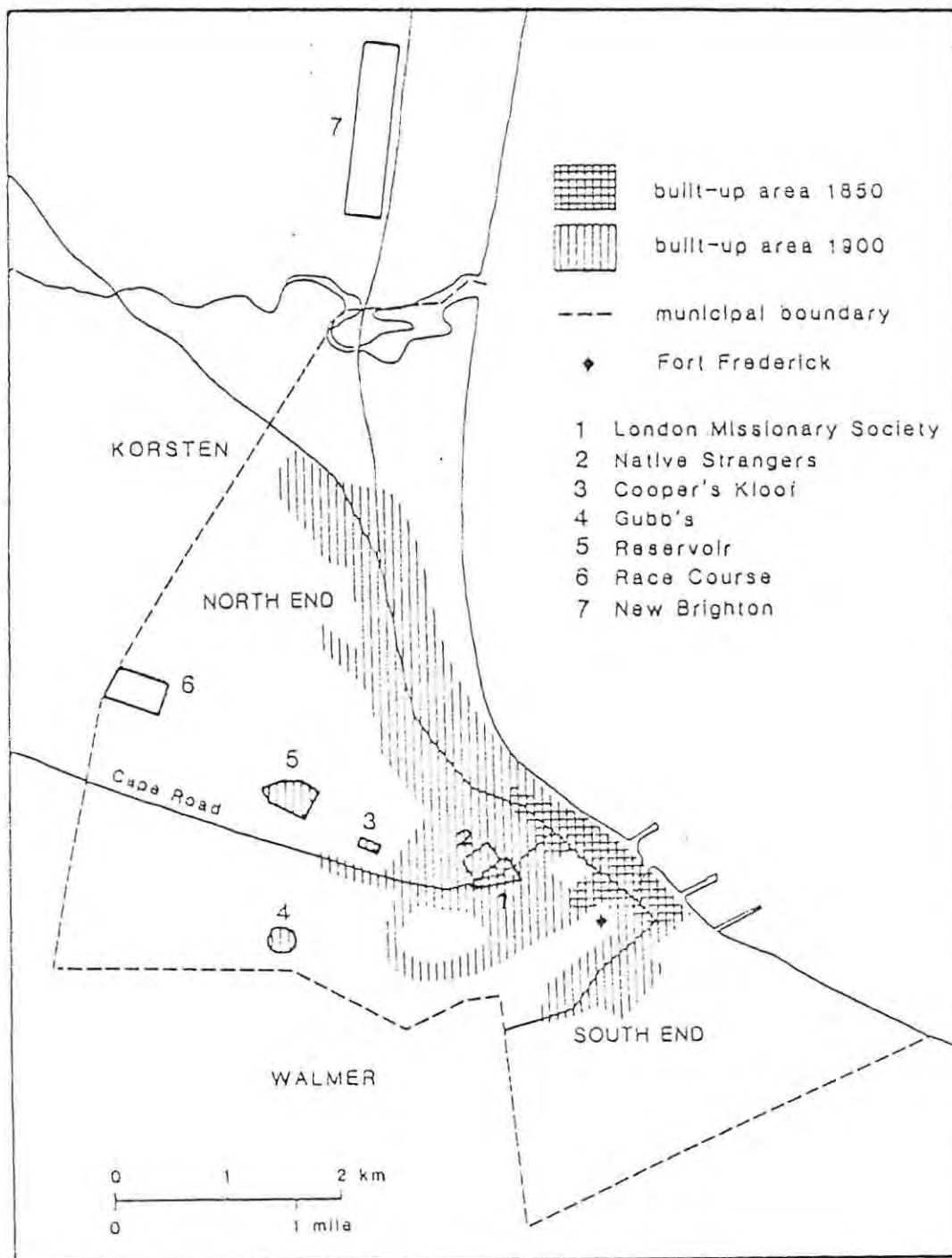
A distinction between indigenous population groups was evident with the creation of Port Elizabeth's earliest locations. Many Khoikhoi first settled on London Missionary Society (LMS) land on Richmond Hill, which came to be known as the Hottentot Location. From the late 1830s, the African population squatted on town commonage at the top of Hyman's Kloof (Russell Road), before being resettled alongside the LMS land, on a site granted by Sir George Grey in 1855 [see Figure 4]. The title deed to this settlement implied recognition of the impermanent nature of the indigenous workforce when it stipulated that the site was to be held, in trust, by the municipality for a "Strangers' Location where Hottentots, Fingoes, Kafirs and other strangers visiting Port Elizabeth may temporarily reside". However, within a decade of its establishment it was recognised by the Town Council that the majority of inhabitants of Strangers' Location were permanent residents. Notwithstanding the fact that they could be granted a long-lease for a maximum of 21 years, the residents of the Location erected substantial dwellings and took pride in their homes.<sup>[3]</sup> Another location - ostensibly for 'raw natives' - where most of the dwellings were huts, was established in the 1860s on the property of the merchant and Town Councillor, Thomas Gubb.<sup>[4]</sup> By this time pressure began to mount for the removal of the locations, from what had become prime real estate, on account of the westward expansion of white residential areas. However, the Town Council, effectively blocked the relocation of the African workforce at too great a distance from their place of employment. The conflict of interests between Port Elizabeth's white ratepayers and employers was resolved in favour of the merchants who dominated the Council.<sup>[5]</sup>

[3] See my unpublished paper 'The Colonial Origins of Segregation: the case of PE's Native Strangers' Location' for a detailed account of its establishment and history.

[4] Christopher, 'Race and Residence in Colonial PE', p. 10.

[5] The trend was established in the first PE Municipal election of 1848, when six of the eight members elected to the Board of Commissioners had commercial interests. P. Swart, 'Die Munisipale Ontwikkeling van Port Elizabeth 1845 tot 1860' (MA, UPE, 1986), p. 76. By Act 3 Of 1860, PE became a Municipality under the control of a Mayor and Town Council.

Figure 4  
 PORT ELIZABETH'S INNER LOCATIONS IN THE 19th CENTURY



Source: AJ Christopher, 'Race and Residence in Colonial Port Elizabeth', *The South African Geographical Journal*, Vol. 69, No. 1 (April 1987), p.13.

Under the aegis of local government, the economic hegemony of the merchant elite was translated into political power throughout the colonial period.

The increased African urbanisation in Port Elizabeth by the 1870s was reflected in the spill over of Strangers' Location into Cooper's Kloof. Renewed attempts were made to remove the inhabitants of these locations to the newly created Reservoir Location following a 'faction fight' in 1881. The violent death of the Superintendent of Locations, and the apparent danger posed by the proximity of the locations to white residential areas, sparked off renewed calls for the removal of Strangers' Location. Moreover, the land on which it was situated had become even more valuable for property development, and it was viewed by white ratepayers as a health hazard and an 'eyesore'. The passage of the Port Elizabeth Native Strangers' Location Act in 1883 provided the means to effect the removal of the locations but, according to Kirk, an alliance between white liberals and aspirant petty bourgeois Africans prevented its implementation. Not only were the working class and lumpenproletariat also allowed to remain, but an amendment awarded freehold title in the Reservoir Location to all Africans who had been resident in Stranger's Location for at least three years prior to their being moved. In addition, the municipality faced the prospect of having to compensate church and school siteholders, which meant that the costs of expropriation and removal would have to be borne by the ratepayers. For these reasons, the struggle for land and labour was not resolved, and the Native Stranger's Location Act fell into abeyance.<sup>[6]</sup>

By the 1890s the Reservoir Location had expanded to absorb the increase of Port Elizabeth's African population. When removals were again broached, a new site had, therefore, to be found for the population it was proposed to remove from the inner locations. An

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[6] Kirk, 'The African Petty Bourgeoisie, Cape Liberalism and Resistance to Segregated Housing in PE in the 1880s', pp. 38-40.

agreement was made in June 1896 by the Town Council and the residents of Strangers' and Cooper's Kloof for their removal to the planned Racecourse Location. The conditions decided upon were included as stipulations in Section 205 of the 1897 PE Municipality Act. Some 300 site holders in these locations were promised pieces of land (60' x 40') with title as a *quid pro quo* for the land which they surrendered (although they did not have title), and compensation for the buildings thereon.<sup>[7]</sup> This move was pre-empted because the military authorities took possession of a portion of the site at the outbreak of the South African War in 1899.<sup>[8]</sup>

After the War, the Racecourse site was rejected for the resettlement of the African population. Despite having been laid out, and provision being made for the supply of water and the extension of the tram lines to its periphery, it was regarded as having certain drawbacks. Significantly, it was reckoned to be too small to accommodate the African population, which had been enumerated for removal from the inner locations.<sup>[9]</sup> It was noted that the city's growth was such that, within a few years, white residential dwellings were likely to reach the edge of the location, resulting in the same problem as that currently encountered with regard to the inner locations. However, the overriding consideration was that traffic to and from the location would pass through the white suburbs and cause disruption.<sup>[10]</sup> The choice of an alternative site, approximately eight kilometres to the north of the centre of town, meant that the local authorities could reconcile the conflicting interests of white residents and industrialists. The location, which would be known as New Brighton, was situated on land that was unsuitable for industrial

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- [7] A. 22 - 1902, pp. 32-33 and Appendix for list of conditions for removal of Locations extracted from Council Minutes, 26 June 1896; A. 15 - 1903, p. 30.
- [8] CAD, NA 603 F1680, Location Matters, Port Elizabeth 1903-4, Memo by Town Clerk on Native Locations, p. 4.
- [9] CAD, NA 607 1675, Removal of Natives to New Brighton Location: List of Locations in Town and District of Port Elizabeth from which Natives are to be removed to the Reserve Location, 20 April 1903. It is worth noting that the figure of 12 709, which did not include an estimated 1 000 enfranchised Africans, is considerably in excess of the 1904 census figure for PE's urban African population.
- [10] A. 22 - 1902, Appendix A, Report of the Special Magistrate, King Williams Town. In the matter of establishing a large Native Location in or near Port Elizabeth, pp. iii-iv.

purposes or for white residential areas; the site was north of the city centre in the direction that industrial expansion was occurring and not in the path of future westward expansion of white residential areas [see Figure 4].

The spectre of the perceived hazard posed by the presence of poor hygienic conditions in the locations provided a particularly effective means of maintaining political pressure for Africans to be kept away from white residential areas. This so-called 'sanitation syndrome', identified by Swanson,<sup>[11]</sup> formed a basic precept in public health thinking and legislation. Cape legislation was modelled on the British Public Health Act of 1848, which had sought to tackle the problems associated with the erection of working class housing amidst the process of rapid urbanisation. Although the colonial legislation was not discriminatory in theory, the British class legislation, assumed racial overtones, when translated into practice in a white settler society. The Public Health Act of 1857 was superseded by Act 4 of 1883 which, in turn, was amended by Act 23 of 1897. The relevant portion of the 1897 legislation was Section 15, which provided municipalities with the authority to remove Africans forcibly from infected premises, if necessary.<sup>[12]</sup>

#### The Establishment of New Brighton and Korsten

The outbreak of bubonic plague in April 1901 provided a catalyst for the removal of Port Elizabeth's inner locations, even though conditions were no worse than in certain slum areas. In 1897, for instance, the prevalence of typhoid had been greater in Vleipost than the locations which, in the opinion of the Medical Officer of Health (MOH), "were not instrumental in infecting the town".<sup>[13]</sup> But as the first reported case of bubonic plague was located in Gubb's Location,<sup>[14]</sup> it aroused white fears that the state of the

[11] M.W. Swanson, 'The Sanitation Syndrome: Bubonic Plague and Urban Native Policy in the Cape Colony, 1900-1909', *JAH*, 18, 3 (1977), pp. 387-394.

[12] Cape of Good Hope Government Gazette. Notice 209, 5 March 1901, p. 116.

[13] C. 5 - 1897, pp. xxxviii, xli, xliv.

[14] EEG 17 April 1901; Christopher, 'Race and Residence', p. 11.

locations posed a public health threat. More informed opinion, in the person of the MCH, termed it a popular misconception:

"It appears to be a common idea that by prohibiting the residence of Coloured persons within the town and banishing them to a location, the health of the European community is thereby adequately protected, the fact being lost sight of that sickness and disease cannot exist in one community, without more or less adversely affecting the inhabitants of adjoining communities. [15]

The plague never reached epidemic proportions, and was more prevalent in certain wards of the town than in the locations. [16] Nevertheless, it provided a justification for the removal of the inner locations. Because the decision was motivated by self-interest on the part of the white community, and not concern for the welfare of the African population, this action served to re-locate rather than solve the problem of the insanitary conditions of Port Elizabeth's locations. [17]

Various measures were taken to contain the spread of the plague: suspected cases or patients who had contracted the disease were placed in quarantine at the Lazaretto. In a blatantly discriminatory move, restrictions were placed on the movement of Africans. A campaign of inoculation was only partially successful amongst Africans on account of the inherent suspicion arising from the popular misconception that the only victims of the plague were those who had been inoculated. The homes of identified cases of the disease were destroyed (in most cases in the locations), and rat infested stores (which were considered the probable breeding ground of the imported disease) fumigated. By September 1902 some 107 properties had been expropriated and demolished, and a further 600 dwellings, situated mainly in Strangers' Location, had been condemned by the Plague Board as unfit for human habitation. [18] The specially

[15] G. 39 - 1906, pp. xxix-xxx.

[16] G. 12 - 1904, p. 91; cf. G. 66 - 1902, p. 220 for Table of 'Summary of Infectious Diseases in Wards for 1902'.

[17] CAD, CO 8765 f78c, Report of Senior Plague Medical Officer, 17 January 1902.

[18] EPH 18 September 1902; Christopher, 'Race and Residence', p. 11.

constituted and virtually autonomous Plague Board was, in effect, a coalition of reformist-minded local representatives and public health experts. It became the driving force in a plague eradication campaign, which rapidly assumed the form of an anti-black health and morality crusade. Location residents complained of personal harassment, arbitrary inspection and the sudden demolition of homes.<sup>[19]</sup>

However, the pressure to remove the inner locations completely, which had built up during the outbreak of plague, could not be translated into action because the Plague Board was not empowered to remove people from properties not condemned, nor did they have any power to relocate people. In terms of existing public health legislation, Africans could be forced out of town but not into New Brighton.<sup>[20]</sup>

The removals contemplated by the local authorities were made possible by the introduction of the Native Reserve Locations Bill, which effectively translated emergency public health measures into permanent urban locations legislation. Proposed in order to regularise the actions of the Cape Town Municipality, in providing a retroactive mechanism for the expropriation and resettlement of Africans in Ndabeni, the Native Reserve Location Bill also provided the means whereby the Port Elizabeth local authorities could facilitate and consolidate the emergency programme of mass evictions and slum clearance.<sup>[21]</sup> Thus, this legislation provided the Council a ready solution to the long-standing problem of effecting the removal of Port Elizabeth's inner locations.

The Native Reserve Location Act came into effect on 1 June 1903.<sup>[22]</sup> Removals which had begun the previous month were, however, held up by a number of obstacles. The African petty bourgeoisie objected strongly to the lack of security of tenure and the right to erect their own dwellings. Dissatisfaction with compensation payments, and the failure to provide adequate accommodation in the New Brighton Location for those to be removed

[19] A. 15 - 1903, pp. 97-99, 103.

[20] Swanson, 'Sanitation Syndrome', p. 401.

[21] See Section 5 of Act 40 of 1902.

[22] Cape Daily Telegraph 23 June 1903; A. 15 - 1903, pp. 72-3.

from the inner locations, contributed to their unwillingness to move. Resistance to removals also came from African traders who wished to obtain exclusive trading rights in New Brighton. Merchants supported workers' objections to the distance and cost of commuting to their place of work, which amounted to 6s. per month for train fare. Moreover, it was shown that rates in New Brighton of 30s. per month for two-roomed family accommodation were in excess of those charged by rack-renters elsewhere in the town or its periphery. It was also evident that these charges exceeded one third of the average earnings of Africans in Port Elizabeth. For all or some of the above reasons, many Africans opted to live in Korsten which lay outside the ambit of the Native Reserve Location Act.<sup>[23]</sup>

Korsten and neighbouring Dassies Kraal, were situated approximately 6 kilometres from the centre of Port Elizabeth [see Figure 5]. It had formerly been part of a farm called Papenkuilsfontein, until it was divided into lots and sold in 1853. It was declared a village and came under the supervision of the Divisional Council, which had no powers to enforce submission of plans for sub-division, sanitary or building regulations.<sup>[24]</sup> The result was that 'slumlords' subdivided lots further and erected ramshackle dwellings without the slightest regard for sanitation and hygienic requirements.<sup>[25]</sup> Such lots were sold to occupiers on instalment, which was a questionable practice on legal grounds. Other landlords erected tenements, which were rented on a monthly basis, and the lessees, in turn, often sub-let rooms or even floor space.<sup>[26]</sup> The resultant overcrowding and widespread squatting made Korsten a slum area.<sup>[27]</sup>

The hiring of property in slum areas was a lucrative source of revenue, and vested interests of Town Councillors sometimes hindered the proper implementation of sanitation measures.<sup>[28]</sup> In 1902, Dr Uppleby, the District Surgeon, observed that numerous dwellings

[23] Swanson, 'Sanitation Syndrome', pp. 402-3.

[24] A. 15 - 1903, p. 22.

[25] CAD, CO 8765 f78c, Letter from the Divisional Council to the Colonial Secretary, 20 August 1902.

[26] A. 15 - 1903, p. 22.

[27] A. 15 - 1903, p. 18.

[28] G. 38 - 1902, Report on the Public Health for 1901, p. 94.

declared unfit for human habitation were not demolished because "the influence of the slum landlord in the Council was too strong".<sup>[29]</sup> However, in his evidence before the Select Committee on the Native Reserve Locations Act, a Councillor, Charles Mackay, rejected the assertion that the Town Council did not enforce demolitions on account of vested interests.<sup>[30]</sup> The weight of evidence would appear to suggest that removals to New Brighton were pre-empted by a tacit alliance between the African community and slumlords in Korsten. Many former residents of the inner locations "voted with their feet"<sup>[31]</sup> against New Brighton and sought accommodation in Korsten, where the African population rose steadily and reached 5 102 out of a total of 6 562 by April 1904.<sup>[32]</sup>

By comparison, only some 2 125 Africans had moved to New Brighton by the end of 1903. This fell far short of the projected figure of 6 000.<sup>[33]</sup> Moreover, some 900 returned to the Reservoir Location when the Native Reserve Location Act was temporarily suspended during 1904 on account of the lack of accommodation in New Brighton.<sup>[34]</sup> The fluctuations in the numbers of residents in the early years of the Location is reflected below:<sup>[35]</sup>

TABLE 6: POPULATION MOVEMENT OF NEW BRIGHTON LOCATION, 1903-1909

Year	Arrivals	Departures	Total Population (at 31 December)
1903	2 581	456	2 125
1904	2 284	2 439	1 411
1905	4 506	1 401	4 516
1906	1 580	2 210	3 812
1907	1 322	1 356	3 778
1908	1 005	2 684	2 099
1909	2 030	1 024	3 105

[29] G. 66 - 1903, Report on the Public Health for 1902, p. 118.

[30] A. 15 - 1903, pp. 100-101.

[31] Odendaal, 'African Political Mobilisation', pp. 198-9.

[32] CAD, CO 8765 78c, Telegram from Magistrate, PE to Under Colonial Secretary, 29 April 1904.

[33] Christopher, 'Race and Residence in Colonial PE', p. 13.

[34] CAD, NA 607 1677, Letter from the Town Clerk, PE to the SNA, 8 October, 1904; G. 46 - 1906, p. 73; Swanson, 'Sanitation Syndrome', p. 404.

[35] Cape of Good Hope, Blue Books on Native Affairs and Reports on Public Health for 1903 to 1909.

The above figures would appear to suggest that New Brighton had a large 'floating' population. This can partly be attributed to the fact that certain Africans, who had had their homes demolished, sought temporary residence in New Brighton until such time as they found accommodation elsewhere. The large increase in population during 1905 was due largely to the more rigorous application of the Reserve Act and its extension to Korsten.<sup>[36]</sup> An amendment to the Native Reserve Location Act extended its jurisdiction to a distance of eight kilometres outside the municipal boundaries and, thereby, included Korsten in its provisions. A more concerted effort was subsequently made to enforce the removals despite the 'truculent' and 'obstinate' attitude of the Africans.<sup>[37]</sup> While the Department of Native Affairs (NAD) saw the need to obtain police co-operation in effecting the removals, it warned of the need to "avoid as far as practicable any show of compulsion which would have a disturbing effect on the Native mind and thus hamper the movement".<sup>[38]</sup> The Reservoir Location was finally closed in 1909 and, by the following year, the authorities had removed virtually the entire unenfranchised African population from the town.<sup>[39]</sup> An estimated 1 000 voters and other classes of Africans, such as domestic servants, were exempt from removal in terms of the Native Reserve Location Act.<sup>[40]</sup> In addition, there was probably still a large number of illegal residents in the municipal area.

[36] G. 39 - 1906, p. A-77.

[37] Terms employed by the Magistrate, PE in correspondence with the SNA. See CAD, NA 607 1677, letters dated 20, 23 March, and 10, 18 April 1905.

[38] CAD, CO 607 1677, Telegram from the SNA to the Civil Commissioner, PE, 31 March 1905.

[39] Mayor's Minutes, 1909, pp. 4, 89 and 1910, p. 58; Christopher, Race and Residence in Colonial PE, p. 11.

[40] A. 22 - 1902, p. 49. Cf. Province of the Cape of Good Hope, List of Voters in PE Magisterial District, 1913. Of the 7 765 voters registered in the PE portions of the constituencies of PE Central, PE South-West and Three Rivers, 732 (9.5%) were Africans. Thus, the male voters comprised less than 10% of the African population of 8 058 as per the 1911 Census (see Table 7 below) and 73% of the population resident in the municipal area.

Whilst there was a general shortage of accommodation in New Brighton as the removals went ahead, the shortage of family units was particularly acute from the outset.<sup>[41]</sup> A number of dormitory type dwellings erected for single migrant labourers were converted into makeshift family units. While even the name 'Red Location' suggests that it housed migrants, the Resident Magistrate claimed that "permanent residents are satisfied and well pleased with the locality".<sup>[42]</sup> The figures cited in Table 6, however, would seem to suggest that he was misinformed as to the nature of New Brighton's population. Moreover, any suggestion that the numbers of Africans in Korsten decreased from 1904, must recognise that the Native Reserve Location Act, forbade all except 'non-exempt natives' from residing in the area. The growth in the size of the 'Coloured' population (from 651 in 1904 to 1 671 in 1911), would appear to confirm that the lack of control over Korsten made it a popular place to reside, especially for the working classes.

Unlike Korsten, the degree of control in New Brighton was sufficient to discourage permanent residence. Residents had to carry an identity card which was to be produced on demand. Rents were to be paid in advance on a monthly basis and failure to do so could lead to eviction.<sup>[43]</sup> Curfew regulations framed in terms of Section 2 of Act 30 of 1895 were imposed and Africans were not allowed in town between 9 p.m. and 4 a.m.; except for registered voters who had to carry documentation to prove their exemption. The Location was fenced off and divided into blocks under the charge of wardmen who were responsible to the Superintendent. People entering the Location had to report their presence to the Superintendent within twenty-four hours or face prosecution. It was fairly common for raids to be organised in the early hours of the morning in order to flush out illegal residents and beer brewers. In terms of Sections 16 and 17 Of Act 40 of 1902, there was a total prohibition of beer brewing. It was an offence even for registered voters to bring liquor into the location, unless they had a permit signed by an authorised officer.

[41] G. 12 - 1904, p. 93.

[42] G. 12\* - 1904, p. 117.

[43] Swanson, 'Sanitation Syndrome', p. 404.

Amongst other things, the prohibition of beer brewing prompted 'raw natives' to move to Korsten and other slum areas, where there were no liquor controls.<sup>[44]</sup> Some fifteen years later, this state of affairs had reportedly altered:

"Only raw and young natives will submit, and only for a time, to the semi-slavery of a location. The older, permanent and more reliable natives will move on somewhere in the neighbourhood."<sup>[45]</sup>

It is actually doubtful whether the African perception of New Brighton was ever a favourable one.

Neither Korsten nor New Brighton, initially, had any form of local authority. Representations from the Divisional Council and other interested parties for the establishment of such an authority in Korsten, were rejected on the grounds that there were "insufficient suitable residents who could be trusted with such a responsibility". The MOH thought that the charging of rates by such an authority would realise insufficient revenue to provide the necessary sanitation, water supply and other services. Instead, he argued that the extension of the boundaries of the municipality to include Korsten would provide a cheaper and more effective solution to the problem.<sup>[46]</sup> The Port Elizabeth Town Council initially approved this step but later retracted its offer. It came out in support of the Korsten residents for the establishment of a Village Management Board (VMB). This would seem to indicate that it had second thoughts about assuming responsibility for some of the people evicted from the inner locations.<sup>[47]</sup> The Government agreed to the establishment of a VMB in August 1904 but the following month, the Colonial Secretary threatened to abolish the board, if adequate efforts were not made to remedy the 'abominable' conditions and justify its existence.<sup>[48]</sup> The failure to collect rates from property owners made it impossible to finance services or tackle the problems associated with an unplanned settlement. The VMB was abolished by the Cape Government following an inspection by Prime Minister L S Jameson, but was

[44] G. 12\* - 1904, p. 115.

[45] EPH 18 June 1919.

[46] CAD, CO 8765 f78c, Letter from the MOH to the Plague Medical Officer, PE, 5 September 1902.

[47] CAD, CO 8765 f78c, Telegram from the Mayor, PE to the Under Colonial Secretary, 20 April 1904.

[48] CAD, CO 8765 f78c, Unsigned report, 30 September 1904; Mayor's Minutes 1904, P. 16.

granted a reprieve in 1906 following representation for its restoration. [49]

As far as New Brighton was concerned, the Native Reserve Location Amendment Act of 1905 made provision for the establishment of an Advisory Board. This, in the opinion of the Secretary for Native Affairs (SNA), "would afford the people the satisfaction of being consulted to make for the smooth working of the location". [50] The Board was to consist of 4 members elected annually by residents and 2 members appointed by the Government, as well as the Location Superintendent. [51] It met once a month under the chairmanship of the Location Superintendent, and served as a link between the Government and the residents of New Brighton. [52] Originally under the supervision of an Assistant Resident Magistrate (ARM), the Location Superintendent was made responsible to the Resident Magistrate (RM) of Port Elizabeth, when the former office was abolished. [53] It will be seen that the Superintendent of New Brighton Location, E H Grattan, also worked in close co-operation with other local authorities, such as the Council and District Commandant of the SAP. [54]

Provision had been made for regulating the erection and use of private dwellings in terms of Section 11(3) of the Native Reserve Location Act, but not for the provision of freehold title. A subsequent amendment by Section 7(18) of Act 8 of 1905 made provision

[49] Cape Times 20 July 1905; CAD, CO 8765 f78c, Letter from Chairman of the European Vigilance Committee to the Colonial Secretary, 16 August 1905, wherein it was requested that a VMB under white control be established. Africans and 'coloureds' were to have sub-committees to represent their interests, which was a bid to discredit the (native) Korsten Vigilance Committee. However, the legislation pertaining to VMBs (Act 29 of 1881, Sec 4.8) did not allow for racial differentiation.

[50] CeA, NTS 178 1703/348, Memorandum to the Prime Minister from the SNA, March 1908.

[51] Cape of Good Hope, Regulations for Native Advisory Boards as per Proclamation No. 297, 1908.

[52] U.G. 10 - '13, p. 12; U.G. 7 - '19, p. 17.

[53] CeA, NTS 156 1905/12/348, Letter from the Secretary for Native Affairs to the Secretary for Justice, 17 May 1912.

[54] Little biographical information on Evelyn Grattan has come to light in the course of my researches. He was appointed Superintendent of Natives, New Brighton Location in 1908 and obviously regarded himself as an 'expert' amateur historian for he offered to provide a series of lectures on Native History at a meeting of the Advisory Board. See CAD, NA 734 f348, Minutes of the New Brighton Advisory Board, 5 April 1909.

lease or grant under title of building lots to any Native residents desirous of erecting their own dwelling places within the Reserve Location". Nonetheless, plots were not readily occupied even after the amendment was enacted.<sup>[55]</sup> This offer of too little too late, was a belated attempt by the Cape Government to honour an undertaking made by the PE Town Council to the local African community in 1897.<sup>[56]</sup> However, the petty bourgeoisie had been progressively alienated by the authoritarian and discriminatory measures which enforced their resettlement and blocked their access to freehold property. The approach of the NAD was suggested by a memorandum of March 1908, wherein the Secretary endorsed African representation to purchase building lots and obtain title in locations as the rent of huts provided no incentive to effect improvements. It was argued that acceptance of this provision "would provide an object lesson to local bodies which as a rule are averse to granting security of tenure to natives".<sup>[57]</sup> It stood to reason that security of tenure would contribute to the creation of a stable African middle class with vested interests in the upkeep and maintenance of the locations. Although 'exempted' Africans were allowed to buy property outside locations until as late as 1937, they could not claim the right to reside on such land unless it was valued at £75. Thus, it was the express policy of the Cape Government to encourage Africans to purchase in the location rather than outside, so as to compel them to reside therein.<sup>[58]</sup> However, no terms were ever drawn up to implement the provisions for the lease or grant under title, of building lots, in New Brighton or any other location.<sup>[59]</sup>

The intention of the Native Reserve Location Act, and subsequent amendments, had been to make provisions for "the compulsory ejection [sic] of the large number of Natives resident among Europeans in towns and to segregate them in areas occupied by themselves

[55] G. 46 - 1906, p. 74.

[56] L. 15 - 1903, pp. 30, 37.

[57] CeA, NTS 178 1703/348, Memorandum to the Prime Minister from the SNA, March 1908.

[58] CeA, NTS 178 1703/348, Letter from Asst SNA, 31 March 1908 in response to memo by Surveyor-General, 22 February 1907.

[59] U.G. 4 - '20, p. 35.

only".<sup>[60]</sup> The term 'segregation', when used in the urban context is said to have been coined in the decade prior to Union when it gained currency in the NAD.<sup>[61]</sup> This much is evident from the statement of the South African Native Affairs Commission (SANAC) of 1903-05 that, "in the urban areas the principle of the segregation of races has already been recognised".<sup>[62]</sup> In practice, however, it was not always implemented. In 1909 Port Elizabeth's ARM lamented that local authorities did not "take more active steps to encourage the removal and segregation of Natives residing in urban area to the Reserve Location".<sup>[63]</sup> Port Elizabeth had practiced informal segregation throughout the colonial period, and this was formally and more rigidly applied with the Natives Reserve Location Act.<sup>[64]</sup> This legislation was not a point of departure as far as Port Elizabeth was concerned, and was to be emulated by other urban centres. By the time of Union, urban segregation had become elevated to a national policy.

Conditions of Reproduction in Port Elizabeth's Black Townships, 1910-1920

It was to ensure the control and separation of Africans (and not 'Coloureds') that the policy of segregation was developed. The distinction made previously between the indigenous population groups, was transformed by the colonial administration into one between Africans and 'Coloureds'. However, the emergence of a 'Coloured' identity, especially amongst the working class, was countered by material conditions in Port Elizabeth. For instance, the existence of Korsten with its heterogeneous population and particular conditions of reproduction, blurred ethnic identity. Ethnic mobilisation, too,

[60] G. 24 - 1908, p. 40.

[61] J. Cell, The Highest Stage of White Supremacy, pp. 210-5 speaks of the "ideological crystallisation of segregation". Cf. M. Legassick, 'The Making of South African Native Policy, 1903-1923: the Origins of Segregation', p. 2, who comments that the word 'segregation' and, therefore, the perception of a total policy embraced by it, only came into use after 1900.

[62] SANAC 1, para. 190 (I am indebted to David Burton for this reference). The earliest reference that I have found to the principle of urban segregation is in the Select Committee on the Native Reserve Locations Bill (A. 22 - 1902), p. 13. Both these examples predate Legassick, *op cit*, who traces the earliest usage of the term to 1908.

[63] G. 19 - 1909, p. 67.

[64] Christopher, 'Race and Residence', *passim*. Cf. my unpublished paper, 'The Colonial Origins of Segregation'.

was offset by accelerated proletarianisation and a growing sense of community consciousness amongst residents of Port Elizabeth's townships.

Control over the Africans resident in Korsten, was not as strict as New Brighton, and the former continued to attract those able to circumvent the Native Reserve Location Act. In fact, the provisions of this Act became increasingly difficult to implement as the urban influx stretched Port Elizabeth's accommodation to the limits.<sup>[65]</sup> Nevertheless, it was the opinion of the ARM that the migrant labourer constituted a relatively small proportion of the workforce:

"The ordinary Native labourer in Port Elizabeth is not the raw Native who has come from the Transkei in search of work here, but he has been born and bred in one or other of the many Locations that have existed here for many years."<sup>[66]</sup>

He was not mistaken, and the number of permanent residents increased with the passage of time. By the 1920s official reports were acknowledging that there was a considerable settled urban African population which had lost its material ties with the rural areas and had become completely dependent on wage labour.<sup>[67]</sup> It was partly because the reserves were producing less than fifty percent of the food subsistence requirements of their populations,<sup>[68]</sup> that for an increasing number of Africans the urban area had become fundamental in the reproduction of labour power.

While differences were already evident between the conditions of reproduction of settled African families and single migrant workers in towns such as Port Elizabeth, this was not yet explicitly recognised in urban pass laws.<sup>[69]</sup> In terms of Section 11(15) of the Native Reserve Location Act the Governor was empowered to issue regulations "prescribing and regulating the issue of passes to natives entering or leaving any Native reserve location and providing for the registration of all such natives". Consequently, in Proclamation 112 of 1903 regulations were published for the issue of

[65] U.G. 7 - '19, p. 19.

[66] G. 12\* - 1904, p. 116.

[67] U.G. 4 - '20, p. 34; U.G. 26 - '20, p. 10.

[68] D. Hindson, Pass Controls and the Urban African Proletariat, p. 33, citing C. Simkins, 'Agricultural Production in the African Reserves of South Africa, 1919-1969', JSAS, 7 (1981).

[69] Hindson, Pass Controls, p. 31.

passes and identification cards. The Government set up the Godley Committee in 1919, which considered how to simplify and create a uniform system of pass laws because controls operative in the Cape differed from those of the other provinces. In evidence before the Committee in Port Elizabeth, various witnesses testified to the ineffectiveness of the pass laws and noted that they had been substituted by other forms of documentation.<sup>[70]</sup> Port Elizabeth had a reputation for not applying the letter of the law with regard to passes, which was probably on account of the relatively large number of 'exempt' Africans resident in the town.

A statistical index of the degree of permanency of the African population can be gauged from the increasing proportion of females to males in Port Elizabeth's urban and peri-urban areas:<sup>[71]</sup>

TABLE 7: PORT ELIZABETH'S AFRICAN POPULATION, 1904 - 1921

	1904		1911		1921	
	M	F	M	F	M	F
PE Municipality	1 581	634	997	647	914	944
Korsten	3 138	1 805	1 237	1 107	2 153	1 723
New Brighton	1 330	618	2 175	1 684	5 299	
Walmer	395	204	124	87	234	181
Total	6 489	3 261	4 533	3 525	11 448	

In 1904 the ratio of men to women was 2:1; by 1911 this had dropped to below 4:3; and the incomplete figures for 1921 suggest that the gap had closed further. Observations made during the 1910s about New Brighton confirm this trend: in 1914 the number of permanent residents had increased,<sup>[72]</sup> and so had that the number of married persons and women with families.<sup>[73]</sup> The fact that the proportion of women amongst Port Elizabeth's African population by the 1920s was comparatively higher than other major urban centres confirms a greater degree of permanency.<sup>[74]</sup>

[70] Microfiche of evidence taken by the Inter-Departmental Pass Laws Committee in PE, 21 February 1920 obtained from Mr R. Humphries; EPH 23 February 1920.

[71] For sources, see footnote 1 above.

[72] U.G. 34 - '14, p. 143.

[73] U.G. 7 - '19, pp. 18-19.

[74] U.G. 15 - '23. See figures for Cape Town, Durban and the Reef.

Unlike other urban centres such as Cape Town, the potential for conflict over the issue of rents was defused in Port Elizabeth. Representation from certain employers and the African community themselves, caused rents in New Brighton to be gradually reduced. Rates were established at 20s. to 30s. per month for family quarters, and 8s. per month for single quarters in 1903. By 1918 they had been considerably reduced, and ranged from 3s. to 8s. per month. In fact, Port Elizabeth was one of the few municipalities not indicted by the Tuberculosis Commission for profiteering.<sup>[75]</sup> The provision of a Native Reserve account, which had to be administered separately from other municipal revenues, still did not prevent various municipalities from exploiting the African population by using revenue derived from the locations to reduce rates of white ratepayers.<sup>[76]</sup> Aware of the pressure by this group on his own Council to reduce expenditure on New Brighton, the Mayor, in his Report of 1913, sounded envious of the 'Durban system' whereby that Municipality financed its locations largely from the revenue acquired as a result of the monopoly it exercised in supplying 'Kaffir' beer to the African population.<sup>[77]</sup>

It was the stated intention of the Government not to make a profit out of the locations, nor was it intended that municipalities should do so. Conversely, locations were not supposed to be a burden on white ratepayers or municipalities, but were simply to pay their own way.<sup>[78]</sup> In the case of New Brighton, the revenue was to cover running costs such as staff salaries, provision of sanitation, water and medical supplies, and maintenance of huts and buildings, and so on, but also cover capital outlay. This amounted to £98 000 for the purchase of the farms on which New Brighton was situated and the initial construction of dwellings. Unfortunately, records of expenditure are not nearly as complete as those of revenue tabled

[75] U.G. 34 - '14, para. 240.

[76] U.G. 34 - '14, para. 240; U.G. 4 - '20, p. 30; T.R.H. Davenport, 'The Beginnings of Urban Segregation: the Background to the 1923 Natives (Urban Areas) Act', Occasional Paper, ISER, Rhodes, 1971, p. 4.

[77] Mayor's Minutes 1913, p. 25. For a description of this practice, see M.W. Swanson, 'The Durban System': Roots of Urban Apartheid in Colonial Natal', *African Studies*, 35, 1976, pp. 159-176.

[78] A. 15 - 1903, p. 6.

[79]  
below:

TABLE 3: REVENUE FROM NEW BRIGHTON LOCATION, 1903-1920

Year	Hut rents, etc.			Judicial Fines			Total		
	£	s.	d.	£	s.	d.	£	s.	d.
1903	1	987	0 10	101	0	0	2	088	0 10+
1904	1	038	4 10	124	5	0	1	162	9 10*
1905	8	321	18 11	288	17	3	8	910	13 7
1906	6	937	12 2	107	12	0	8	403	4 2
1907	6	351	6 6	142	0	0	6	493	6 6
1908	1	513	1 9	85	2	6	1	598	1 5
1909	3	795	16 3	89	10	0	3	885	6 3
1910-11	3	883	1 6	288	18	6	1	172	0 0
1911-12	4	238	8 3	238	12	6	4	477	0 9
1912-13	1	787	19 5	241	15	0	5	029	14 5
1913-14	5	689	3 0	487	13	0	6	176	16 0
1914-15	4	931	5 9	211	7	6	5	142	13 3
1915-16	5	006	17 3	217	0	0	5	223	17 3
1916-17	4	903	13 8	130	12	6	5	034	6 2
1917-18	5	501	17 10	276	7	6	5	778	5 1
1918-19	5	378	9 5	190	18	0	5	569	7 5
1919-20	6	565	8 8	n/a				n/a	

+for 8 months ending December 1903

\*for 6 months ended June 1904

From the information available, it can be deduced that the revenue derived from rents and fines was considerably more than required to meet administration and maintenance costs of New Brighton Location (if capital repayment is excluded).<sup>[80]</sup>

Aside from costs, there was ambiguity over the question of which authority bore responsibility for urban locations. Act 48 of 1919 provided for the transfer of Native Reserve Locations in the Cape to the Municipalities.<sup>[81]</sup> Following the passage of this legislation, representation was made by members of the Legislative Assembly and Councillors from Port Elizabeth to the SNA, E Barrett, who informed the delegation that the Government was prepared to hand over the land and buildings of the Location free of charge to the municipality.<sup>[82]</sup> The local press threw its weight behind the move for municipal control and accused the Government of having abdicated its responsibility for the local African population:

[79] Cape of Good Hope, Blue Books on Native Affairs for 1904 to 1909; U.G. 7 - '19, p. 88, Annexure G; CAD, 37/PEZ 1/2/2/25, p. 438.

[80] U.G. 7 - '19, p. 17.

[81] P. Kallaway, F. S. Malan, the Cape Liberal Tradition and South African Politics', JAH, xv, 1 (1974), pp. 124-5.

[82] EPH 10 May 1920.

"New Brighton is a Government Location from which revenue is derived and it was surely the duty of the Government to provide requirements on an adequate scale. But in flagrant disregard of its responsibilities the Government has not met those requirements, and in our own interests, and in the interests of the safety and health of the City, it is now a question whether the Municipality should not assume control over this area.[83]

While the NAD acknowledged the deplorable conditions in the locations, it argued that the uncertainty over their future had "hindered the carrying out by the Government of any large scheme of improvements involving heavy capital expenditure". [84] However, African opinion was against the incorporation of New Brighton into the PE Municipality. A public meeting held in the Location in April 1919 had expressed itself against any such move. [85] In a communication to the Magistrate, Grattan, summarised the residents' objections to municipal control as follows: it was held that the Council would raise the rents; charge grazing fees for stock; charge for medical attendance at the dispensary, and for medicines and hospital attention; abolish the Periodical Court; replace the Native Police with white members of the SAP; and devise new forms of taxation. [86] The grounds for the African community's mistrust of the City Council (PECC) was presumably based on its experience of the years of municipal control of the inner locations.

Evidence also suggested that the PECC was negligent of its duties in ensuring sufficiently high standards of sanitation. The result was that the health of the residents of New Brighton was generally poorer than it had been before the removals. It was a tragic irony that the Location had been created on the pretext of eradicating the bubonic plague, but that an inspection carried out by the Tuberculosis Commission in 1914 found that the disease was flourishing. [87] The figures for New Brighton show that tuberculosis (including phthisis) and respiratory ailments were major reasons for the the constantly high mortality rate: [88]

[83] EPH 13 May 1920, Editorial.

[84] U.G. 34 - '22, p. 14.

[85] CeA, NTS 157 97/19/f348, Letter from the Superintendent of Natives to the Magistrate, PE, 29 April 1919.

[86] CeA, NTS 157/19/f348, Letter from the Superintendent, New Brighton to the Magistrate, PE, 1 June 1920.

[87] Davenport, 'The Beginnings of Urban Segregation', p. 6.

[88] U.G. 34 - '14, p. 144; U.G. 7 - '19, p. 88.

TABLE 9: DEATHS IN NEW BRIGHTON, 1903 - 1913

Year	Ave. Annual Population	Causes of Deaths			Total Deaths	Mortality Rate per 1000
		TB	Resp.	Other		
1903	1 499	--	10	10	20	13.3
1904	2 332	13	17	18	48	20.6
1905	3 710	25	46	34	105	28.3
1906	4 475	18	42	13	73	16.3
1907	3 701	13	34	17	64	17.3
1908	3 330	26	12	46	84	25.2
1909	2 694	24	20	41	88	32.7
1910	3 119	25	37	73	135	43.2
1911	3 732	25	15	64	104	27.7
1912	4 773	19	36	60	115	24.1
1913	5 378*	36	35	83	154	28.6
1914	4 114*	25	19	65	109	26.5
1915	4 205*	15	25	72	122	29.0
1916	4 403*	32	50	73	155	35.2
1917	4 398*	50	69	131	250	56.8
1918	4 711+	26	30	58	114	24.2

\* As at 31 December

+ As at 30 September

The maintenance of buildings and sanitary services was undertaken by the Public Works Department, but responsibility for the latter was transferred to the NAD in late 1918, at the time of the outbreak of the Spanish influenza epidemic. The death toll of 242 whites and 1 341 blacks in Fort Elizabeth included a large number of cases from the New Brighton Location.<sup>[89]</sup> The Influenza Epidemic Report commented, however, that

"there is no evidence that the virulence of the disease had any definite co-relation with poor sanitary conditions, but nevertheless, it is clear that bad housing, congestion and insanitary conditions facilitated the spread of the disease and tended to increase mortality."<sup>[90]</sup>

It recommended, further, that immediate attention be given to housing and insanitary conditions in slum areas and native locations. This led to the framing of the Public Health Act 36 of 1919 which sought to address problems highlighted by both the Tuberculosis and

[89] N.G. 15 - 19, p. 26 lists a total of 9 450 and 17 854 cases of whites and blacks, respectively which suggests that more than half the population contracted influenza. In New Brighton 50 deaths occurred amongst 1 400 reported cases before 14 October and 262 deaths by 22 October 1918 (EPH 3, 9, 14, 25, 26, 29 October and 6 November 1918) which suggests that the mortality rate was even greater in 1918 than the exceptionally high figure for 1917.

[90] Cited in EPH 7 August 1919.

Influenza Epidemic Commissions. But there was no grounds, in terms of this Act, for the refusal of local authorities to spend more upon sanitation of locations than could be raised in revenue from the locations themselves. <sup>[91]</sup>

The question of accountability for public health and hygiene at local level was rather muddled. When certain Councillors expressed reservations about the work of the acting Chief Sanitary Inspector in ensuring the demolition of condemned houses, J C Kemsley argued that it was the Council, and not the Sanitary Department, which was at fault; for the latter had not undertaken its task of authorising the demolition of condemned buildings for "it always seemed that influence had been brought to bear and after owners had been given so many months to put their properties into repair nothing more was heard of it". <sup>[92]</sup> Such a comment would appear to suggest that local authorities countenanced or turned a blind eye to slumlord profiteering. This perception was vindicated by the observations of an impartial commission, which stated that some overcrowded and insanitary properties were owned by municipal officials and prominent citizens, who "should be looked to to give a lead in bettering the living conditions in the town". This same Housing Commission Report of 1920 singled out Port Elizabeth's insanitary conditions for special mention. <sup>[93]</sup> And despite the observations of the Influenza Epidemic Commission, the view continued to be propagated that New Brighton and Korsten posed a threat to the public health of greater Port Elizabeth. <sup>[94]</sup> The Chairman of the Korsten VMB, Vennachinni, <sup>[95]</sup> labelled it 'propaganda for expropriation'.

One reason for the failure to demolish insanitary dwellings was a lack of suitable alternative accommodation. <sup>[96]</sup> The erection of dwellings in New Brighton was insufficient to meet the growing demand

[91] U.G. 28 - '48, p. 9 (para. 105).

[92] EPH 7 August 1919.

[93] U.G. 4 - '20, pp. 16-17.

[94] EPH 11 June 1919, Memorandum by the Secretary of the Epidemic Workers Housing and Health Association; EPH 13 May 1920, Editorial which cites the Report of the Housing Committee of the Municipal Association; Commission, p. 103.

[95] EPH 18 June 1919.

[96] Mayor's Minute 1919, p. 28.

for more accommodation, which made it impossible to enforce the provisions of the Native Reserve Location Act.<sup>[97]</sup> The Housing Commission referred to above noted the shortage of dwellings in locations and recommended that the central government should compel local authorities to act in order to alleviate the situation. It advised the establishment of permanent housing commissions to advise local authorities and recommended the granting of powers of expropriation of land to local authorities, for the purpose of establishing housing schemes. It was the view of two members of the Housing Commission that the subsidisation of housing by local or central government would, in the long run, amount to providing employers with cheap labour.<sup>[98]</sup> The Housing Act (35 of 1920) provided that local authorities could borrow money from the Provincial Administrator or, with his consent, from any other source to construct housing schemes. Despite the obligation that municipal bodies had to provide adequate accommodation for all Africans within their area, generally, they proved unwilling or unable to avail themselves of available resources. Whilst the PECC went ahead with the provision of sub-economic housing for whites and 'Coloureds', the same was not done for Africans. It was to be a few decades before the provision of housing was accepted as a public responsibility and the state became involved in the funding thereof, that the enormous backlog in African accommodation in urban areas could be tackled.<sup>[99]</sup>

As most of Port Elizabeth's African population was resident outside the municipal boundaries by the 1920s, they did not come under the direct authority of the Town/City Council.<sup>[100]</sup> The erstwhile Khoikhoi mission settlement of Bethelsdorp - situated approximately ten kilometres from the city centre - was placed under a Management Committee in terms of Act 34 of 1921.<sup>[101]</sup> The Council continued to avoid assuming responsibility for the control of Korsten. In 1922 the

[97] U.G. 7 - '19, pp. 17-19.

[98] U.G. 4 - '20, pp. 14-15; Cape Times 24 December 1919.

[99] U.G. 28 - '48, pp. 4-5; Cf. G. 3 - 1894, p. xxiii; P. Morris, A History of Black Housing in South Africa, p. 16.

[100] By Ordinance No. 13 of 1913 the status of the PE Municipality was elevated to that of a city.

[101] A. Appel, 'The Forgotten Mission: Post-Emancipation Bethelsdorp', Looking Back (forthcoming).

Mayor suggested the incorporation of New Brighton Location without the intervening area of Korsten.<sup>[102]</sup> New Brighton was to be incorporated in the Port Elizabeth Municipality (PEM) in 1923, while Korsten was eventually included in 1931 [see Figure 5].

Port Elizabeth and the making of National Urban Native Policy

Any explanation of state urban policy must be seen in the light of the Union constitution which made municipalities responsible to the provincial administration, while the control and administration of Native Affairs throughout the Union was subject to the Governor-General-in-Council.<sup>[103]</sup> Indeed, the administration of urban locations was bedevilled by the problem of divided authority between local and central government. In spite of the intervention of the Central Government, the PEM was not absolved of its responsibility for the local African population. The confusion was furthered by the lack of a uniform national urban native policy.

During the 1910s urban native legislation had sought to clarify two major issues, namely, control over entry into and the status of those resident in urban areas. In 1912 a draft bill was designed to provide guidelines for local authorities for the regulation of Africans in urban areas. Its features included the provision of separate native revenue accounts and freehold land tenure - the latter being dropped after some debate, although it remained an issue in subsequent draft legislation. The Bill was shelved in order to await the formulation of an overall native policy, and then re-introduced in 1918 with the declared intention of implementing the principle of segregation.<sup>[104]</sup> It also represented an attempt to bolster the status of the African petty bourgeoisie, for it sought to protect property rights. Furthermore, it sought to devolve responsibility for native administration to local authorities. In spite of being shelved, it was to provide the basis for a uniform urban native

[102] Mayor's Minutes 1922, p. 33.

[103] See Sections 81, 85 and 147 of the South African Act, 1909; U.G. 28 - '48, p. 3.

[104] U.G. 7 - '19, p. 16; Davenport, 'Beginnings of Urban Segregation', p. 8.

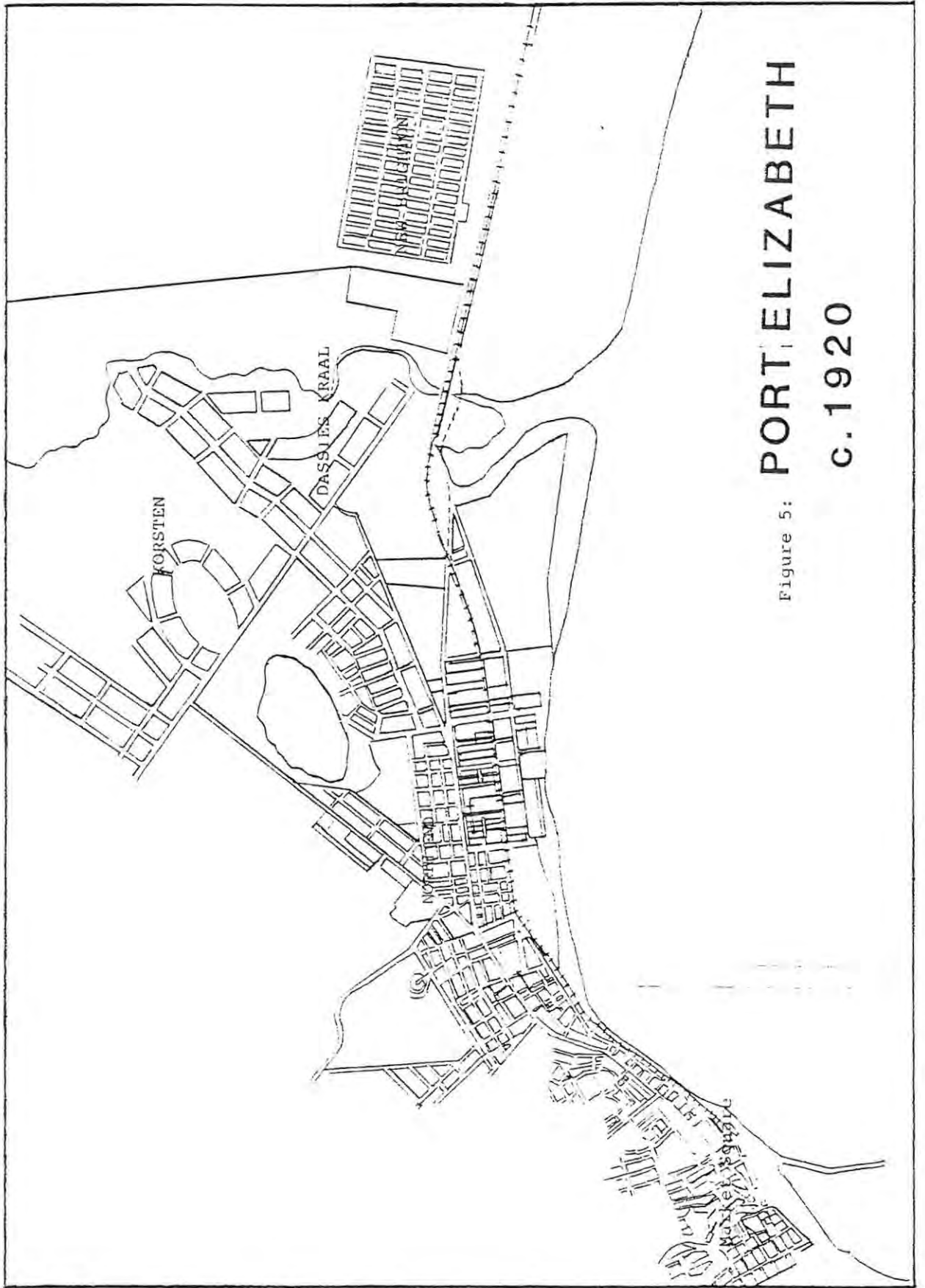


Figure 5: **PORT ELIZABETH**  
c. 1920

policy enshrined in the 1923 Natives (Urban Areas) Act. [105]

The enactment of urban native legislation became a priority as conflict in urban areas intensified in the post-war period. The post-war urban crisis, as described by the Natives Affairs Commission, was apposite to Port Elizabeth:

"The problems have become more acute of recent years by reason of the rapid growth of our industrial cities, in which the provision of housing and control of natives engaged in industry, commerce and domestic service has not kept pace with the growth of the Native population who are requiring and demanding, not only considerably improved living conditions, but who, with their wives and children, are becoming permanent dwellers in the cities and are rapidly adopting the European method of life." [106]

It has been argued that the development of a coherent state policy was occasioned by the problems of labour allocation, social control, and reconciling the conflicting interests of the various factions of labour and capital. [107] The policy embodied in the 1923 Natives (Urban Areas) Act would, in the opinion of Kallaway, "because of its stake in the *status quo*, form a bulwark against labour unrest and political agitation". [108] The final form that this legislation took, showed the influence of the Godley and Transvaal Local Government (Stallard) Commissions in varying degrees. [109]

The prevailing attitude of policy makers towards the presence of Africans in urban areas, was that 'redundant natives' should be expelled. This view was stated as early as 1905 by SANAC (and prefigured the so-called Stallard doctrine by some years):

"These locations should not be made a refuge for surplus or idle natives, for whose labour there is no local demand or who will not work, and power to expel such natives from the location and the entire urban area should be vested in the local authority, who should receive the full support of the Government in this work." [110]

[105] U.G. 15 - '22, p. 25; D. Hindson, Pass Laws and the Urban African Proletariat, pp. 33-5.

[106] U.G. 15 - '22, p. 25.

[107] A. Stadler, The Political Economy of Modern South Africa, pp. 60-1.

[108] P. Kallaway, 'Malan and the Cape liberal tradition', p. 124.

[109] In his paper, 'The Beginnings of Urban Segregation', pp. 13-23, Davenport sees the recommendations of the Stallard Commission as the prevailing influence on this legislation. By contrast, Hindson argues for the significance of the Godley Report. See Pass Controls, pp. 35-40.

[110] SANAC. I, p. 48 (para. 253); Cf. U.G. 34 - '14, p. 129.

From this it followed (so it was argued) that if surplus labour was tolerated, idleness would result and this, in turn, would lead to poverty and squalor. Seen in these terms, housing became basic to the survival of the worker and his family, and a shortage of accommodation contributed to the deprivation of Port Elizabeth's black community.

In a number of important respects central government policy was based on the historical experience of native administration in towns like Port Elizabeth. For instance, the Native Reserve Location Act was amended on account its failure in Port Elizabeth, and these changes had a wider application in the formulation of the Cape's native policy. More importantly, features of the Native Reserve Location Act of 1902, such as separate native revenue accounts and the creation of advisory boards, were subsequently included in the 1923 Natives (Urban Areas) Act. These features, which were peculiar to the Native Reserve Locations of Cape Town and Port Elizabeth, figured as prominently as the 'Durban system' in formulating the framework for a national policy. Although the central Government intervened in order to bring about uniform legislation and retained a measure of supervision over municipal control of Africans in urban areas, the principle that each municipality was responsible for Africans in its area was maintained. [111]

This chapter has attempted to outline the history of Port Elizabeth's black community to 1920. It has related how the development of residential segregation and other forms of social control imposed on Africans culminated in the creation of New Brighton Location. This signalled the realisation of a goal that white ratepayers had sought to obtain through the Town Council for many decades. Urban segregation protected the interests of white ratepayers who felt threatened by the spectre of Africans living and owning property in residential areas, as this meant a decline in the value of their

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[111] U.G. 28 - '48, p. 4 (para. 3).

investments. The state, through the agency of local authorities, thus placed the interests of the white ratepayer above both that of the employers and the African petty bourgeoisie.

The failure of the African petty bourgeoisie to withstand pressure against the removals to New Brighton after the first round 'victory' in the 1880s, suggests a loss of influence in the local struggle. The formation of African political organisations in the 1880s provided the first hint of a growing realisation of the need to mobilise African voters and not rely entirely on consensus politics which was founded, essentially, on the qualified franchise and the co-optation of a Christian elite into white settler society.<sup>[112]</sup> But this realisation was offset by the undermining of the position of the modernising community. According to Davis, the bourgeoisie experienced "a steady erosion of its political power, its economic well-being, and its social standing due to its subordinate position in a white dominated settler society" as the influence of white liberals and other so-called 'friends of the natives' diminished.<sup>[113]</sup> In the post-Union period, the petty bourgeoisie formed their own organisations but still tended to align themselves with white political parties. This was evident in Port Elizabeth, when the local branch of the Native Congress lent its support to the Unionists before they were absorbed by the South African Party.<sup>[114]</sup> Because their vote was probably indecisive, they remained of marginal influence in national and local politics<sup>[115]</sup> and, perhaps understandably, they ultimately exercised little influence on native policy. It is not surprising in the changed conditions of the post-war period, that the moderate elitist organisations such as the SA Native National Congress (SANNC) and African Peoples' Organisation (APO), were eclipsed by populist working organisations like the ICWU.

[112] Odendaal, 'African Political Mobilisation', pp. 138-9.

[113] R. Hunt Davis, 'School vs blanket and settler: Elijah Makiwane and the leadership of the Cape school community', *African Affairs*, 78, 310, p. 31.

[114] *EPH* 4 March 1920. The earliest reference I have found to the existence of a PE branch of the Cape Native Congress is to May 1919 (*EPH* 31 May 1919).

[115] R. Bouch, 'The South African Party and the National Party in the Eastern Cape, 1919-24' (MA, Wits, 1979), p. 183.

In its formative years, the ICWU in Port Elizabeth and elsewhere, provided an organisational base for the overcoming of the divide between 'Coloureds' and Africans,<sup>[116]</sup> and between the working and middle classes of the black community.

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[116] Goldin, 'The reconstitution of Coloured identity', p. 164.

Chapter 3: Black Worker Resistance and Unionisation  
in Port Elizabeth to 1920

A tradition of worker resistance is suggested by the frequent occurrence of strikes by sectors or, on occasion, Port Elizabeth's entire black workforce, prior to 1920. As far as can be ascertained, there is no evidence to link these strikes with any form of permanent labour organisation or 'proto-unionism' before the latter half of 1919. The post-war socio-economic conditions described above created the climate in which the city's first general labour union, the Port Elizabeth Industrial and Commercial Workers' Union (PEICWU) was formed. Yet, it is not sufficient to explain unionisation purely in terms of immediate circumstances, and a combination of such factors as felt grievances and provocative actions by employers.<sup>[1]</sup> It is also necessary to analyse the nature of the Union's leadership and composition of its membership, as well as the extent to which it was captured by its constituents.

A Tradition of Worker Resistance

The earliest known case of worker mobilisation in Port Elizabeth was the strike by Mfengu beach labourers in 1846 - by all accounts the first strike in South African history.<sup>[2]</sup> These Mfengu beach labourers were employed by boating companies to load and unload the surfboats which carried cargo between the landing beach and the ships anchored in Algoa Bay. On account of a shortage of alternative labour, they exercised considerable bargaining power which they used with good effect to secure reasonable wages. Local merchants, who owned the boating companies, attempted to launch a number of schemes, between the late 1830s and late 1850s, aimed at constructing a breakwater or jetty, in order to minimise their dependence on Mfengu labour. However, the schemes were all partial or complete failures. The Mfengu monopoly of labour enabled them to stage a number of strikes for better wages and improved working conditions during this

[1] B. Bozzoli (ed), Labour, Townships and Protest, p. 11.

[2] E.J. Inggs, 'Mfengu Beach Labour and Port Elizabeth Harbour Development, 1835-1870', Contree, 21 (January 1987), pp. 11-12.

period. Aside from 1846, successful strikes were staged in 1852 and 1854; but in 1857 a strike was unsuccessful for the first time because, in the meantime, the Mfengu stranglehold on beach labour had been broken. The influx of an estimated 30 000 Xhosa on to the Cape labour market after the Cattle-Killing of 1857 provided a source of alternative labour. The Mfengu attempted to maintain their position on the landing beach by 'tampering' with rival workers. There were further strikes in 1872, 1876 and 1877, but the bargaining power of the beach labourers had been considerably reduced by the availability of cheap labour, especially after the 9th Frontier War (1877-8). Thus, an era when beach labourers had commanded relatively high wages through collective, albeit unorganised, action, had come to an end.<sup>[3]</sup>

As late as 1881, a 'faction fight' in Port Elizabeth's locations may have had its origins in Mfengu attempts to prevent the Xhosa from working for lower wages. This suggests that ethnic rivalry divided the workforce in specific situations.<sup>[4]</sup> According to Beinart, ethnic particularism had the potential for conflict within a workforce, where uneven proletarianisation and the division of jobs along ethnic lines could emphasise such differentiation.<sup>[5]</sup> There was, in fact, among the first few generations of black workers in Port Elizabeth, a close affinity between occupational mobility and ethnic identity, which militated against the development of worker consciousness. However, the proletarianisation of later generations of black workers in conditions of increasing deprivation, contributed to inter-ethnic and cross-class agitation.

Before the advent of black labour unions in Port Elizabeth, a sense of community consciousness did make it possible to mobilise the

[3] A. Mabin, 'Strikes in the Cape Colony 1854-1899' (unpublished African Studies Seminar Paper, University of the Witwatersrand, 1983), pp. 5-8, 17.

[4] PE Telegraph 14 October 1881. For Mfengu-Xhosa antagonism in the urban setting see R.A. Moyer, 'A History of the Mfengu of the Eastern Cape, 1815-1865' (PhD, London University, 1976), pp. 304-5.

[5] W. Beinart, 'Worker consciousness, ethnic particularism and nationalism', in Marks & Trapido (eds), The politics of race, class and nationalism, p. 306.

African population. This proved to be the case in the 1901 strike. Plague regulations aimed at combating the spread of the disease by compelling inoculation, and enforcing 'the carrying of permits by Africans who wished to leave Port Elizabeth. In reaction to this discriminatory practice, a work stoppage was begun at the harbour. Following a mass meeting, virtually all African workers in the city joined the strike.<sup>[6]</sup> Both the traditional and educated leaders expressed misgivings about the plague regulations. A spokesman for the latter group would seem to have equated class and racial stratification, when he described it as 'class legislation'.<sup>[7]</sup> A local newspaper correspondent claimed that the strike was engineered by 'the educated native'.<sup>[8]</sup> The press endorsed the action taken by the authorities and employers, in utilising white and 'coloured' scab labour in order to break the strike. Consideration was also given to importing 'Coolies' from Natal.<sup>[9]</sup> Consequently, the PE Harbour Board dismissed most of its African workforce, and resorted to the recruitment of contract workers from the Transkei. This new workforce was housed in new barracks on Harbour Board property which facilitated greater control. This move does not appear to have reduced the degree of worker militancy, but the housing of the contract workers in the Compound led to a more docile workforce.<sup>[10]</sup>

The 1901 strike illustrates the degree of co-operation between the 'modernisers' or 'school' people, who aspired to inclusion in white settler society, and the 'traditionalists' or 'red' people, who maintained ties with the land and customs of their forefathers, in

[6] P. Warwick, Black People and the South African War, p. 144.

[7] Cape Daily Telegraph (CDT) 11 June 1901. The spokesman was Frank Felton Makwena who had a long involvement in black community and political and, later, worker organisations. He trained as a carpenter and teacher at Lovedale and is listed on the 1907 and 1913 PE voters' rolls. In the 1920s he was involved in both the PE branch of the Cape Native Congress and the PEICWU. See EPH 4 March 1920, The Black Man December 1920.

[8] CDT 12 June 1901.

[9] CDT 11 June 1901, Editorial.

[10] EPH 30 September 1902; Christopher, 'Race and Residence in Colonial PE', p. 11.

Port Elizabeth's African community.<sup>[11]</sup> The latter comprised a good proportion of the partially proletarianised or semi-urbanised workforce at this stage. Despite these cleavages, there existed a long-standing tradition whereby the African 'school' leadership made representation on behalf of the community on all matters of common interest. Mass meetings were held on a regular basis to provide a platform for the views of unenfranchised Africans to be heard and where decisions were often taken by means of a popular vote. Resolutions were passed and committees elected which utilised existing constitutional channels, with a modicum of success, to obtain redress for African grievances.<sup>[12]</sup> Whatever forms of consciousness developed amongst semi-proletarianised workers, were shaped by both the urban and rural communities between which they migrated. While the shifting nature of black labour militated against unionisation, the organisation of trade unions was not impossible. There was nothing to prevent the recruitment of union members and the holding of meetings. The greatest obstacle to organisation was probably creating an awareness of the principles of collective bargaining. Whilst *de jure* recognition of black unions was not possible, *de facto* recognition could sometimes be obtained from employers and the authorities.

There was no legislation which expressly forbade blacks from forming trade unions, but their ability to act was severely curtailed by the regulation of labour relations by the state in the post-Union period. Essentially, the Masters and Servants legislation, vagrancy laws and pass system of the former colonies and republics were refashioned to suit the requirements of industrialisation. The Native Labour Regulation Act of 1911, for instance, stipulated that strikes by black miners who had entered a service contract, constituted a breach of contract and, hence, a criminal offence.<sup>[13]</sup> In spite of the

[11] D. Welsh, 'The Growth of Towns' in M. Wilson and L. Thompson (eds), *OHSa*, II, p. 211.

[12] M. Wilson, 'The Growth of Peasant Communities' in *OHSa*, II, p. 76.

[13] T.R.H. Davenport, *South Africa: A Modern History*, p. 531.

legislation, blacks did participate in the 1913 Witwatersrand strike. This strike was followed by the Industrial Disputes and Trade Union Bill, which sought to make provision for white trade unions to take part in collective bargaining (but which was only to be enacted in amended form after the 1922 Strike).<sup>[14]</sup> The exclusion of Africans from the proposed industrial conciliation machinery was part of a two-prong strategy, whereby the state sought to disorganise labour: the co-opting of the white working class on the one hand, and the use of its repressive apparatus against the black working class, on the other hand.<sup>[15]</sup> The Riotous Assemblies and Criminal Law Amendment Act of 1914 made clear the government's intention that conciliation would be accompanied by statutory provisions to strengthen the state's coercive power in dealing with strikers by means of police action.<sup>[16]</sup> However, due recognition has not been given to the Native Affairs Act of 1920, which implied a toleration of African unions when it provided for the convening of conferences to which might be invited, among others, delegates from 'any association or union purporting to represent any native economic interest'.<sup>[17]</sup> For our purposes, it is important to note that the Cape's Masters and Servants Laws were still the most important legislation pertaining to the regulation of labour relations in the industrial sector.<sup>[18]</sup>

#### The Rise of Black Worker Militancy

The decline in the incidence of industrial unrest after the 1914 white miners' strike, can be attributed directly to the advent of the First World War. The 'truce' between English-led white trade unions and capital had the effect of reducing the number of industrial

[14] R. Davies, 'The Class Character of South Africa's Industrial Conciliation Legislation' in E. Webster (ed), Essays in Southern African Labour History, pp. 73-4.

[15] E. Webster, Essays in Southern African Labour History, p. 67.

[16] J. Lever, 'Capital and Labour in SA: the Passage of the Industrial Conciliation Act' in *Ibid*, p. 89.

[17] Act 27 of 1920, para. 16, subsection 1.

[18] C. Bundy, 'The Abolition of the Masters and Servants Act' in A. Hare, et al. South African Sociological Analysis, pp. 373-9; P. Wickins, The ICU of Africa, pp. 13-19.

disputes between 1915 and 1918. This is indicated below: [19]

TABLE 10: INDUSTRIAL DISPUTES IN THE UNION, 1913-1920

Year	No. of Strikes	No. of workers involved	Aggregate Days Lost	Estimated Loss in Wages(&SA)
1913	5	19 771	89 887	83 749*
1914	12	21 927	160 129*	136 020*
1915	2	n/a	n/a	n/a
1916	10	1 275*	1 420*	1 095*
1917	22	3 457	18 417	9 531
1918	23	2 582*	31 786*	28 872*
1919	47	23 799	536 538	259 635
1920	66	105 658	839 415	130 584

\*Figures incomplete and/or approximated. n/a = not available[20]

Towards the end of the War, and in the years thereafter, the number of workers on strike showed a remarkable increase. This would seem to bear out Bonner's contention that discontent over wages after 1914, had to some extent been muzzled by the argument that this was one of the sacrifices demanded by the War. However, when the Armistice was signed and employers obduracy continued, "the whole pent-up reservoir of frustration began to burst its banks". [21] The rise of black worker militancy in the post-war period is fairly well-documented, but local conditions need to be subjected to close scrutiny in order to generalise about this nationwide phenomenon.

While the Witwatersrand was, arguably, the epicentre of post-war black industrial unrest, figures for the Cape Province suggest that Blacks came to comprise a greater proportion of strikers in this region as well: [22]

- [19] Union of South Africa, Office of Census and Statistics: Quarterly Returns, S.P. 30 - No. 8, October 1921, p. 16.
- [20] Figures are incomplete because the rendering of statistical returns was not compulsory until 1919, when the provisions of the Statistics Act (38 of 1914) were enforced. See S. van der Horst, Native Labour in South Africa, p. 180.
- [21] P. Bonner, 'The 1920 Black Mineworkers' Strike: a preliminary account' in B. Bozzoli (ed), Labour, Townships and Protest, pp. 279-80; Cf. Memorandum by Thomas Boydell to the Cost of Living (Profits) Commission, U.G. 1 - '19, p. 75 and S. Johns, From Protest to Challenge, I, pp. 145-6.
- [22] U.G. 42 - 1920, pp. 27-8.

TABLE 11: INDUSTRIAL DISPUTES IN THE CAPE PROVINCE, 1918-9

Year	No. of Strikes Reported	No. of Workers Affected		Aggregate No. of Days Lost		Est. Loss in Wages (£)	
		E	C & A	E	C & A	E	C & A
1918	7	562	35	9 139	140	3 989	15
1919	10	518	2 708	13 287	31 656	6 131	5 721

E = Europeans. C = Coloureds. A = Africans.

It should be noted that in 1918 only one strike involved black workers. Yet, while the number of whites involved in strikes actually decreased between 1918 and 1919, the number of blacks involved in industrial unrest increased markedly. The exclusive participation of black workers in a number of the strikes, elicited special comment from government officials:

"A new and noteworthy trend has now been introduced in the industrial arena... native and coloured unskilled workers throughout the Union have adopted the strike as a weapon as a means of enforcing higher wages and better conditions." [23]

The statistics only tell half the story: what they were not capable of gauging, or quantifying, was the growing realisation amongst blacks that combination was essential to protect their interests. The above table belies a new trend of massive black worker participation in industrial strike action, in order to secure wage increases.

The earliest documented black trade union in South Africa appears to be the Industrial Workers' of Africa (IWA), which was first established on the Witwatersrand in 1918. [24] The organisation was, however, undertaken by white syndicalists. Similarly, Kadalie's ICU in Cape Town was also subject to socialist influences in its formative stage. [25] In Port Elizabeth, however, black labour unions appear to have emerged independently of the white labour movement, although there can be little doubt that white worker

[23] U.G. 42 - '20, p. 28.

[24] F.A. Johnstone, 'The IWA on the Rand: socialist organising among Black workers on the Rand, 1917-18' in B. Bozzoli (ed), *Labour, Townships and Protest*, pp. 248, 264.

[25] Wickins, *The ICU of Africa*, pp. 23-29.

militancy provided a catalyst for the mobilisation of black workers. Black strikes generally coincided with actual or impending white worker action in Port Elizabeth in the post-war period, although there was not necessarily any confluence of interests and, certainly, no class solidarity. In fact, the predominantly white labour movement could, more often than not, be prevailed upon to act in a manner contrary to the interests of their unskilled black counterparts.

The attitude of Port Elizabeth's white trade unionists to the organisation of black labour, is instructive for our understanding of the sectionalism that existed in the workplace. When a mixed union was formed by the building trade in 1919, the Master Builders' Association (MBA) suggested that, "it would be better if separate organisations were formed of European and coloured employers as they considered it desirable that the European standard of pay should be higher than the coloured".<sup>[26]</sup> Employers generally endeavoured to maintain lesser rates of wages for 'coloured' workers by encouraging separate unions. In his evidence before the Schweizer Commission, S W Carter, Secretary of the local branch of the Building Workers' Industrial Union, conceded that 'natives' had the right to organise. However, he personally, would not help them do so, nor would his Union be likely to show solidarity with them. In the same breath, he admitted that it was only through organisation that the wages of members had kept up with inflation.<sup>[27]</sup> This differed from the view of industrial capital, as expressed by T C Whyte, Secretary of the Manufacturers' Association of the Midlands (MMA). He attributed the bargaining power of white workers to a shortage of skilled labour. In justifying the comparatively poor wages of unskilled (black) workers, he used the gratuitous argument that to raise the wages for unskilled work would create "a class of people who will grow up satisfied to remain unskilled".<sup>[28]</sup>

[26] Cape Times 21 January 1919.

[27] UNISA Documentation Centre for African Studies, Abdurahman Family Papers, MIC/F No. 5849, Verbatim evidence of the Schweizer Commission [hereafter Commission], pp. 119, 119a.

[28] *Ibid.*, p. 116.

In spite of the foregoing observations, the division of labour on racial lines in secondary industry was not as clear-cut as that of the mines. This is illustrated in the existence of numerous mixed unions of skilled and semi-skilled workers. Such unions were affiliated to the Port Elizabeth and District Federation of Labour, which was an umbrella organisation under the aegis of the Cape Federation of Labour Unions. The following is a list of trade unions in Port Elizabeth, compiled from different sources: [29]

TABLE 12: TRADE UNIONS IN PORT ELIZABETH, 1919

	<u>Membership</u>
<u>(a) National unions with branches in Port Elizabeth:</u>	
Amalgamated Society of Carpenters and Joiners	*
Amalgamated Engineering Union	*
Building Workers' Industrial Union of South Africa	*
Leather Workers' Union	*
National Union of Railway & Harbour Servants (NURHS)	*
South African Furniture Workers' Union	*
<u>(b) Port Elizabeth unions:</u>	
P.E. Commercial Workers' & Shop Assistants Union	450
P.E. Fishermens' Union	150
P.E. Furniture Workers' Union	207
P.E. Ostrich Feather Sorters' Union	125
P.E. Tailors' Union	135
P.E. Tramway Workers' Union	81
P.E. Municipal Employees' Association (PEMEA)	120

\* Membership figures cited for national union only.

Apart from their unions, white workers enjoyed the added advantage of a Labour Bureau, which had been founded in August 1918, in order to secure employment for the jobless. [30] In contrast to semi-skilled and skilled workers, the organisation of unskilled workers in Port Elizabeth had not got off the ground. Without unions to safeguard their interests, and with their exclusion from the industrial

[29] Union of South Africa, Office of Census and Statistics: Quarterly Returns, S.P. 25 - No. 5, January 1921, pp. 14-17; EPH 12 May 1919.

[30] Industrial South Africa, Vol. 13, No. 139 (December 1918), p. 324.

bargaining process, the unskilled workers remained, in the final analysis, dependent on the sense of justice and goodwill of their employers. Thus, the organisation of unskilled black workers was, in part, a reaction to the success of skilled workers in securing demands through unionisation.<sup>[31]</sup>

#### From Community Organisation to Labour Union

In Port Elizabeth, a committee of petty bourgeois African leaders made representation on the question of wages on behalf of the 'native' community in 1918. This *ad hoc* committee did not consist of paid officials, but of prominent figures who were elected to office at mass meetings. One of its number was the Secretary, Samuel Masabalala, who addressed a letter to the Resident Magistrate, C W Chaubaud,<sup>[32]</sup> in which he requested that he attend an open air meeting to be held at Korsten on 14 September 1918. The objective of the meeting was to enable the Magistrate to acquaint himself with the distressing socio-economic conditions in which Port Elizabeth's black population lived, in order that he might appreciate the necessity for a general wage increase.<sup>[33]</sup> The Magistrate, declined the invitation on the ground that two days notice was insufficient and suggested, instead, that a small committee pay him a visit and provide particulars of their demands. He also suggested that the Mayor, Henry Forbes, and the Chairman of the Port Elizabeth Chamber of Commerce (PECOOC), A B Thomas, be given written notification of the meeting. Accordingly, Masabalala addressed another letter to all three men, inviting them to attend a meeting arranged for Saturday, 21 September 1918. The object of this meeting was to make application for an increase of 1s. on the daily minimum wage of 3s.<sup>[34]</sup>

[31] Ans. 143 - 1921, p. 3 (para. 15).

[32] CAD, FS Malan Papers (Acc. 583), Vol. 17. In a letter to Malan, dated 31 January 1919, Tengo Jabavu suggested Chaubaud as a possible successor to E E Dower and W Moffat as SNA for "he is a good wise sympathetic administrator of natives".

[33] CeA, NTS 215 768/18/f473, Letter from Masabalala to Resident Magistrate, 12 September 1918.

[34] CeA, NTS 215 768/18/f473, Letters from Masabalala to Resident Magistrate, the Mayor and the Chairman of the PECOC, 18 September 1918.

In spite of the moderate demands, the three white officials continued to play a stalling game with the representatives of the African community. Instead of attending the meeting, the Magistrate prevailed upon the Native Committee to appoint a deputation which would be granted a joint hearing by the Mayor, the Chairman of the PECOC, and himself.<sup>[35]</sup> The planned mass meeting was held, not for its original purpose, but to elect a deputation which was said to represent "the whole of the native population of Port Elizabeth and District, irrespective of wages earned or position".<sup>[36]</sup> Despite its claim to be fully representative, the deputation consisted mainly of petty bourgeois leaders in the African community. Aside from the standing committee, which consisted of Edward Ngesi (Chairman), Rev J W Gqamlana (Assistant Chairman) and Masabalala, the deputation included five others: B G Sinuka, A Tunyiswa, J Mswela, S Katta and W Pikoli.<sup>[37]</sup> A statement penned by Masabalala, and read out on behalf of the committee at the meeting held on 1 October 1918, belies the claim to represent anything other than the aspirations of the incipient petty bourgeoisie:

"We are now in the fourth year of this world-wide war, and we have hitherto struggled very hard to make ends meet, in regard to our living. As buyers we are having the worst of it, inasmuch as our existance [sic] is a mystery nowadays. It seems that our Masters do not even make distinction of class among the Natives which thing determines a man's living, the prices of necessaries [sic] of life are very high indeed, and are now almost inaccessible to us because of the present standard of our wages."<sup>[38]</sup>

[35] CeA, NTS 768/18/f473, Letter from Resident Magistrate to Masabalala, 18 September 1918.

[36] CeA, NTS 215 768/18/f473, Minutes of meeting, 1 October 1918.

[37] The names of five of the eight delegates appear on the PE voters' rolls of 1905, 1907 and 1913, and with one exception (who was employed by the Railway Dept) they all worked in local stores. Of the others, Rev Gqamlana served on the New Brighton Advisory Board, but of J Mswela, I have been unable to find out anything. Both Masabalala and Gqamlana were delegates of the PE branch of the Cape Native Congress which testified before the Godley Committee on 21 February, 1920.

[38] CeA, NTS 768/18/f473, Minutes of meeting, 1 October 1918; EPH 3 October 1918.

Given the debilitating socio-economic conditions, which acted as a great leveller, especially for those in the lowest income groups, the differences between the petty bourgeois and the working classes were more apparent than real. For as Ngesi - who acted as chief spokesman for the deputation - pointed out, the increased cost of living affected all adversely. He appealed for an across the board increase of 1s. per day for all workers. The deputation was informed by the officials that they could not control prices or employers. Thereafter, it was given the assurance that the Mayor would arrange a meeting with the City Council to discuss the issue, and that the Chairman of the PECOC would subsequently inform members of the result of the meeting. However, no guarantee of an increase was forthcoming.<sup>[39]</sup>

A meeting between the deputation and the City Council was arranged for the next day, 2 October 1918. The meeting followed a similar course to that of the previous day, with the same preliminary statement being read and Ngesi using the same line of argument to appeal for a wage increase for municipal employees. The Mayor pointed out that the wages of black labourers had been raised from the pre-war level of 2s.6d. to 2s.9d. and, subsequently, to 3s. per day. However, he promised that the question of wage increases would receive press exposure. It was also resolved to refer the matter to the Finance Committee for the purpose of considering "the possibility of making general recommendation to the whole Town".<sup>[40]</sup> At a subsequent meeting of the City Council held on 4 December 1918, Rev C H Clapp moved that the Council should give the lead to other employers of 'native' labour, by giving attention to the matter of wages paid to employees.<sup>[41]</sup> Within a few days, the Municipality experienced successive strikes by workers at the Electricity Works and by street workers who, as a result of their actions, received increases of 3d. and 6d., respectively. The Finance Committee merely

[39] CeA, NIS 768/18/f473, Minutes of meeting, 1 October 1918.

[40] CAD, 3/PEZ 1/1/1/30, pp. 163-4.

[41] *Ibid.*, pp. 187-8.

approved offers made by senior Municipal officers, but the Council expressed apprehension that such unprecedented actions did not give them control of the municipal purse strings. The only allowance made for such eventualities in the 1919 Estimates was an amount of £500 for 'Contingencies', in a total budget of £37 570.<sup>[42]</sup> At issue was not only the question of whether the Council could afford these increases, but if it would create false expectations amongst other black employees.

In January 1919, a strike was organised by a newly-formed mixed union in the building trade when the MBA rejected wage demands.<sup>[43]</sup> Official statistics enumerate further strikes in Port Elizabeth during 1919, involving white or mixed unions:<sup>[44]</sup>

TABLE 13: STRIKES IN PORT ELIZABETH, 1919

Date	No. of Workpeople directly affected		Duration Working Days	Industry or Trade Union affected	Cause of Strike and Result of Dispute
	E	C & A			
23/6	...	...	1	Cartage	Demand for 8-hour working day. Demand refused.
24/7	68	8	12	Tramways	Demand for improved conditions. Conceded
24/11	30	...	5	Footwear	Workers refusing to work with non-union members. Demands rejected.

Official statistics were often incomplete or inaccurate. Of greater significance, however, was the fact that they made no mention of mobilisation by black workers during the course of the year.

[42] CAD, 3/PEZ 1/1/1/30, pp. 196-7.

[43] Cape Times 21 January 1919.

[44] U.G. 42 - 1920, p. 45, Annexure VII.

In early April 1919, black municipal employees had ceased work in support of their demand for an increase of 1s. per day. While not achieving their demand, they were offered a differential increase ranging from 3d. to 9d. per day.<sup>[45]</sup> In order to strengthen their bargaining power, they formed the Port Elizabeth Municipal Coloured and Native Employees Association (PEMCNEA) in July 1919, and sought official recognition from the Council.<sup>[46]</sup> Such recognition, whether legal or not, would accord the newly-formed Union the right to negotiate for wage increases on behalf of its members.<sup>[47]</sup> In September 1919, the PEMCNEA pressed for a further increase.<sup>[47]</sup> The Council eventually agreed to a further increase, on the basis that all black Municipal employees would receive an increase of 1s. per day, when the two increases granted during the year were added together. In addition, a war bonus of 6d. per day was to be added to the pay packet.<sup>[48]</sup> The offer was not accepted by the Union as commensurate with the needs of black workers who were struggling to make ends meet. Despite the limited success achieved by the PEMCNEA during 1919, organised worker protest appeared to have secured more gains in a few months than informal representation had achieved since 1914. In addition, there was co-operation between the 'coloureds' and Africans in the field of labour relations, which entailed the organisation of some 220 workers, one of the largest groups of unskilled workers in Port Elizabeth. This development transformed the shape of black worker protest by placing it on an organised footing for the first time. The emergence of labour unions in Port Elizabeth provided some means whereby black unskilled workers could organise a campaign for cost of living increases.

Another group of unskilled workers to agitate for wage increases, were the Railway and Harbour Board employees. White employees could join the National Union of Railways and Harbour Servants (NURHS), but

[45] CAD, 3/PEZ 1/1/1/1. p. 126; *Cape Times* 3 April 1919.

[46] CAD, 3/PEZ 1/1/1/1, p. 188; *EPH* 17 July 1919.

[47] *Ibid.*, p. 188

[48] CAD, 3/PEZ 1/1/1/1, p. 457; *EPH* 7 November 1919.

it would appear that there was no 'sister' organisation amongst black workers at this stage. A local newspaper reported that their demands were not part of a systematic campaign for wage increases, but that several deputations of employees who had met with officials of South African Railways and Harbours (SAR&H) on an informal basis.<sup>[49]</sup> As a result of the slow progress made by these representations, a mass meeting was called to demonstrate support for the demands of the Harbour Board workers. After the meeting, it was revealed in the local press that an increase had been decided upon by SAR&H officials before the meeting had been convened. It was stated that the meeting had no bearing on the decision to grant a 6d. increase, plus a 7d. per day war bonus,<sup>[50]</sup> but this would appear to have been a face-saving measure on the part of the SAR&H. This large employer of black workers, seemingly, went to considerable lengths to let it be known that increases could not be wrung from them by organised agitation. This would have amounted to official recognition of emergent black unions, and provide them with greater bargaining powers. To be seen to be yielding to pressure, would give impetus to the black labour movement and, perhaps, foster militancy.

The mass meeting was to provide an indication of the increasing solidarity shown by the black under classes in the face of widespread dissatisfaction with 'bread and butter issues'. A crowd estimated at 4 000 gathered at New Brighton on the morning of Sunday, 11 January 1920, in order to voice their grievances. The Location Superintendent, Grattan, who was present at the meeting, made the following observation:

"... there is no doubt that nearly every Native is smarting under a burning sense of injustice which is accentuated by a feeling of impotence. None who have heard the men could have any doubt that it is highly urgent and desirable that the Railways and Harbours, the Chamber of Commerce and the City Council should take steps to explain to the Natives the position and what is intended to do [sic] to assist him in the fight for existence at present prices and reassure him that he has the sympathy of the White man in his troubles." [51]

[49] EPH 15 January 1920.

[50] EPH 16 January 1920; Wickins, 'The ICU of Africa', p. 141.

[51] CeA, NTS 215 768/18/473, Letter from Grattan to the Magistrate of Port Elizabeth, 12 January 1920.

He also reported having been made to feel unwelcome by certain of the crowd who 'wished to have a meeting exclusively of natives'. It is not clear whether they objected to the presence of Grattan in his official capacity, or regarded him with suspicion because they viewed him as representing employers. [52]

The resolutions proposed at the meeting provide a good indication of the range of opinion amongst Port Elizabeth's disaffected black workforce. The first proposal was that a deputation be appointed to approach employers in support of the demands of the Railways and Harbours workers, in the hope that if the public sector granted wage increases, the private sector would be obliged to follow suit. A second proposal was the declaration of a general strike which, Grattan would have us believe, did not receive much support. The third proposal was a demand for a 10s. minimum wage per day - a demand that was a radical departure from those of the previous months, when representation had been made for much smaller increases. A motion was proposed that notice be given to the press that employers should pay all workers a minimum of 10s. per day. [53] This demand was not as 'excessive' and 'unreasonable' (terms employed by the Schweizer Commission [54]) as it would appear at first sight, although it represented nearly a three-fold increase on the current minimum wage of 3s.6d. It should be borne in mind that white

[52] In an article published some 26 years after the events referred to above, the then Sanitary Inspector, S H Kemp, stated that there had been white sympathisers present at the meeting which, presumably, included himself. See 'The Bloody Masabalala Upheaval', Illustrated Bulletin (of the SA Labour Party), May 1946, p. 22. No other evidence attests to this.

[53] EPH 14 January 1920; CeA, NTS 215 768/18/f473, Letter from Native Inspector to Resident Magistrate, 12 January 1920.

[54] Ans. 143 - 1921, p. 1 (para. 6).

municipal workers, for instance, had obtained a 26% increase on a 1914 minimum wage of £240 per annum, and demanded a bonus in direct proportion to the cost of living, which had increased 73.74% (according to their calculations)<sup>[55]</sup>, and amounted to a further £112 per annum, viz. the outstanding 47.74%. The cost to the PEM to meet the demands of the white Municipal Employees and Officers Association (later renamed the Port Elizabeth Municipal Employees Association), would have been far in excess of black municipal workers for 10s. per day.<sup>[56]</sup> In any event, a lot more was to be heard of the 10s. per day demand in the months ahead.

By all accounts, the conduct of the meeting suggested the existence of differences of opinion amongst the black under classes. Grattan described the meeting as 'chaotic' and 'unruly', and the local press reiterated similar sentiments. Grattan maintained that moderate speakers were shouted down and "only those whose views were rather extreme were listened to".<sup>[57]</sup> Similarly, the EP Herald stated that "very strong and extravagant talking was indulged in by the young and hot-blooded sections".<sup>[58]</sup> The choice of words was clearly designed to create the impression of an excitable crowd on the verge of confrontation with the authorities. The strike and 10s. per day minimum wage proposals both hinted at the emergence of a new group that was to rival the conservative leadership of the African community. Differences hinged on means rather than ends: whether the black workforce should force a showdown with employers, or continue to adopt an accommodationist approach. These cleavages would seem to suggest the development of factions within the community, which

[55] CAD, 3/PEZ, 1/2/1/25, pp. 313, 356. My own calculations based on Figure 1, suggest a slightly smaller increase (69.2%).

[56] There is a bulky file in the CeA (MNW 546 3315/20), which provides details of the protracted negotiations between the PECC and the PEMEA. As it is only peripheral to the main thrust of my account of black worker mobilisation, I have only referred to this dispute where it impinges on my story. See below pp. 99, 133 and 166.

[57] CeA, JUS 275 2/950/19 and NTS 215 768/18/f473, Letter from Native Superintendent to Resident Magistrate, 12 January 1920.

[58] EPH 14 January 1920.

Wickins describes as 'moderates' and 'radicals'.<sup>[59]</sup> There is no evidence to suggest that these divisions were along the lines of class. Rather, it seems, that new allegiances were being formed in the process of the struggle.

When the meeting broke up in disarray, the majority of the crowd dispersed. A small group, however, continued to deliberate the proposals which had been made earlier. This group which Grattan referred to as the 'more enlightened and calmer natives', and the EP Herald termed the 'elder and more level-headed natives', passed a motion that a Native Workers' Union, which should seek affiliation with the Federation of Trades, be formed. This implied that they would have recourse to 'professional' trade unionists when negotiations they had initiated had failed, and indicates a dependence on the bargaining power of organised white labour. In order to deal with the pressing issue of dissatisfaction with wage levels, it was decided to form a deputation and arrange a meeting with employers.<sup>[60]</sup> The collapse of the public meeting would appear to have left the initiative in the hands of the 'moderates' at this juncture. In the months ahead, however, a fluid situation developed and their support hinged on their success or failure in securing wage increases from employers.

Meanwhile, a delegation of ten, said to represent the 'native community', met with Port Elizabeth's major employers of black labour at a meeting held on Saturday, 17 January 1920 under the auspices of the Mayor, J S Young. The delegation included Ngesi, Matopile Mapetshwa, Job Maguga, Robert Nkonto and Isaak Msomka and, in the words of Wickins, "clearly represented the old moderate

[59] Wickins, 'The ICU of Africa', pp. 142-3.

[60] EPH 14 January 1920; Wickins, 'The ICU of Africa', p. 143.

leadership".<sup>[61]</sup> Spokesmen for the group voiced the opinion that the black workforce was not bent on confrontation with the authorities and employers. Ngesi gave the platitudinous assurance that, "as long as we live there won't be trouble with us". Another speaker informed the employers not to heed the rumours of a strike and, another, that the decision to ask for a 10s. minimum wage taken at the meeting the previous Sunday, was taken "with the knowledge that they would not get that". In fact, Ngesi apparently admitted that 7s.6d. was a more reasonable demand. The deputation left with the pithy assurance that their demands would be sympathetically received and that Grattan would communicate the result of the employers decision to them at a meeting to be held at New Brighton the following day.<sup>[62]</sup>

The meeting continued its deliberations in the absence of the 'native' deputation, and was obviously pre-occupied with the question of the possibility of strike action. R Mc Clelland, a representative of the building trade, queried whether those satisfied with their wages would be allowed to remain at work if a general strike was called. Grattan dismissed the idea of the black workforce enforcing a general strike by way of preventing scabbing as 'absurd'.<sup>[63]</sup> T C Whyte, Secretary of the MMA was sceptical of Grattan's views, and insisted he had heard it said that domestic servants had been

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[61] Wickins, 'The ICU', p. 141; Aside from Ngesi, who had led the previous delegation, little is known about the other members. Maguga is the only name which appears on the PE Voters' Rolls of 1905, 1907 and 1913. If Masabalala was present at this meeting as Halse asserted (CeA, JUS 275 2/950/19, Letter to Deputy Commissioner, SAP, Grahamstown, 4 November 1920), then he had not yet broken with the 'moderates', which suggests that Wickins's assertion needs to be qualified.

[62] EPH 19 January 1920.

[63] In a later communication to the EPH, 20 January 1920, Grattan retracted this statement when he expressed the opinion that the coverage of the meeting had given a false impression of his views. He stated that in the context of what was said, it was clear that he had meant that there would be no attempt to prevent 'natives' from working for a lower wage while no strike was on but that "attempts would probably be made at first to prevent their going to work" once a strike occurred.

threatened that they would not be allowed to go to work the following Monday. While they might have been over-reacting to unfounded rumours, the type of talk in which the employers indulged suggests that they perceived that black worker protest had entered a new phase of militancy. The possibility of strike violence could not be entirely discounted if it was possible that there was popular support for radical demands.

The meeting eventually passed a resolution which recommended that "all employers, except the builders, should increase the wages of all workers earning 30s. a week or less by 3s. a week, that is 6d. a day". The builders argued that they could not pass on the extra cost of increased wages, as the merchant could by raising prices, for they had contractual obligations to meet at previously quoted prices - some of which would still tie them down to a fixed budget for periods of six to twelve months. The figures cited by the builders would seem to indicate that unskilled labour constituted a small percentage of their costs, and that a 6d. increase per day would have been unlikely to affect their profit margins markedly. The rationale for the employers' 'tight-fistedness' was aptly summed up by a Mr Coles, who held that "if the natives were given way to now they would come along with another demand in three months"<sup>[64]</sup>. Accordingly, the meagre offer made to the black workforce was to have the effect of discrediting precisely that group whose co-operation the employers had enjoyed to date. As Wickins has noted, "if the employers had hoped to head off trouble by making concessions, they spoilt their chances by offering too little too late"<sup>[65]</sup>. The actions of the employers played into the hands of the proponents of 'direct action'.

The following Sunday, 18 January 1920, Grattan addressed a mass meeting at New Brighton as the task of conveying news of the employers offer of a 6d. increase to the black workforce had fallen to him. This meeting, which was attended by an estimated 4 000 people, saw emotions reach a boiling point. Grattan was apparently

[64] EPH 19 January 1920.

[65] Wickins, 'The ICU of Africa', p. 143.

threatened by 'unruly' and 'hostile' persons, and an assault on his person was narrowly averted by the intervention of members of the deputation which had accompanied him. The meeting was disrupted and the crowd dispersed. The EP Herald report on the meeting, carried under the headline "Rowdies Break up Meeting", was based on an account submitted in a letter to the editor by Grattan himself. The letter expressly forbade publication of the contents, but it was published almost verbatim.<sup>[66]</sup> The proviso forbidding publication was possibly only included by Grattan to protect himself against possible future claims that there was collusion between the press and the authorities. The style and content of Grattan's letter would suggest that it was not written for internal consumption by the newspaper's editorial staff, but for the purpose of discrediting the 'radicals'. The obvious intention was transparently political, that is, to create the impression that a small vocal minority was headed for a showdown with constituted authority.

In a communication to the EP Herald, in response to the published version of the meeting of 18 January, Masabalala offered a very different interpretation of the events. According to him, "the natives did not understand Mr Grattan's explanation with the result that feeling ran high and the meeting broke up". He also expressed the opinion - thereby implicitly claiming to be spokesman for the majority - that "the native community is not satisfied with the result of the conference with the employers last Saturday morning" [17 January].<sup>[67]</sup> The EP Herald report had stated that a man egged on "by half-a-dozen rowdies" had broken the meeting up as a deliberate ploy.<sup>[68]</sup> This account would seem to suggest that an 'agitator', probably Masabalala himself, was responsible for instigating the clamour that had resulted in the disruption of the meeting.

[66] CeA, NTS 215 768/18/473, Letter from Grattan, to the Editor, EP Herald, 18 January 1920.

[67] EPH 20 January 1920.

[68] EPH 19 January 1920.

The first hint of forthcoming intervention by the local authorities took the form of a letter by the Location Superintendent to the Magistrate. Grattan outlined reasons for the undesirability of mass meetings in New Brighton. His stated objections were that they were difficult to hold frequently, unwieldy, and liable to be stage managed. It was deemed necessary to prevent the 'official' delegation from having its moderate demands proscribed in any way, or hijacked by 'radicals' in the "charged atmosphere of mass meetings". He wished to prohibit any further meetings if he could obtain the necessary authorisation. Finally, he hoped that if it was not possible to forbid such meetings, that the 'excesses' of the mass meetings would act as a check on the 'extremists'.<sup>[69]</sup>

Following the dispersal of the crowd, the 'official' delegation had adjourned to the court room to discuss the situation. Unbeknown to them, however, another meeting had been convened under the leadership of Masabalala. The latter group expressed dissatisfaction with the offer of a 6d. a day increase, and demanded a minimum wage of between 5s. and 10s. a day. The meeting appointed its own committee to interview the Mayor, so as to inform him of the resolutions passed, and invite him to attend a mass meeting to be held on 25 January 1920, to hear the grievances of the majority of black workers.<sup>[70]</sup> Thus, the split between the 'moderates' and the 'radicals' had become a *fait accompli*, with the latter group now determined to make representation on behalf the workforce. They were no longer content merely to play a negative role but sought to wrest the initiative from the more conservative leaders. The fact that Masabalala had emerged as the leader of this 'faction', suggests that he had distanced himself from the moderate petty bourgeois leadership and, had identified himself politically, with the working class.

[69] CeA, NTS 215 768/18/473, Letter from Grattan to the Magistrate of Port Elizabeth, 12 January 1920.

[70] EPH 20 January 1920.

Masabalala was born in Uniondale in 1877.<sup>[71]</sup> He was educated in Grahamstown and Port Elizabeth. His fluency in English and continual usage of scriptural allusions, would seem to suggest a mission education. From the Eastern Cape, he travelled north and worked on the Kimberley mines during the South African War. He spent a number of years in Rhodesia where he held various jobs, including that of teacher and foreman fitter on the mines. He returned to Port Elizabeth in 1914, where he was employed as a clerk by a pharmaceutical firm, Lennon's Limited, after which he became an agent for the African Life Assurance Company. He qualified as a voter and lived in Korsten,<sup>[72]</sup> which implied that he was exempt from the terms of the Native Reserve Location Act. His involvement in politics might have been due to the influence of the Wesleyan minister, Rev Z R Mahabane, who lived in Port Elizabeth during the years 1914-16 and was elected as the first President of the Cape Native Congress in October 1919.<sup>[73]</sup> Masabalala himself became involved in the local branch of the Cape Native Congress, and was the chief spokesman of a delegation that testified before the Godley Committee in February 1920.<sup>[74]</sup> Masabalala later became treasurer of Congress.<sup>[75]</sup> He maintained his affiliation to Congress throughout the period of involvement in the labour movement.

Masabalala's progression from aspirant petty bourgeois to a popular labour leader, illustrates Bradford's proposition that such men were not necessarily out of touch with the rank and file of the labour movement.<sup>[76]</sup> This transition was reflected in his dealings with

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- [71] For biographical details of Masabalala, see T.D. Mveli Skota, African Yearly Register, pp. 187, 427; G. Gerhardt & T. Karis (eds), From Protest to Challenge, Vol. 4: Political Profiles, p. 76. A character sketch published by the EPH 30 October 1920, was a verbatim copy of a report in The Star, 27 October 1920 but proved to be substantially inaccurate. It was subsequently repudiated and corrected in the EPH, 2 November 1920 edition.
- [72] Interview with Mr Douglas Malezi, Port Elizabeth, 14 March 1986.
- [73] Z.R. Mahabane, The Good Fight: Selected Speeches, p. ii. See also letter from Mahabane to the Editor, EPH 27 January 1920; S. Johns, From Protest to Challenge, Vol. I, p. 117.
- [74] EPH 23 February 1920.
- [75] P. Walshe, The Rise of African Nationalism in South Africa, pp. 240-1.
- [76] H. Bradford, 'Mass movement and the petty bourgeoisie: the Social Origins of the ICU leadership', JAH, 25 (1984), pp. 295-310.

the authorities and employers. In a letter, drafted in 1918, in his capacity as Secretary of the Native Committee, wherein he petitioned for a wage increase on behalf of the African community, Masabalala had adopted a supplicating approach:

"We appeal to the European community our Masters and promoters, both in things temporal and spiritual, to sympathise with us in our need, and to kindly see their way clear to granting this rise... to their servants".[77]

A comparison of the ingratiating tone of this letter with the strident language of Masabalala's speeches, when he later addressed ICWU gatherings, is indicative of the change which occurred when he came to articulate the militant working class position. According to the Schweizer Commission, he spoke for a large section of the black community:

"It is not surprising that when Masabalala came forward as a champion for the cause of the unskilled native and coloured worker, he succeeded in arousing their enthusiasm, as well as gaining their admiration and affection."[78]

His emergence as a popular leader was recognised even by his critics.

The attitude of the authorities towards the emergence of a 'radical' faction amongst the black workforce was reflected in the reception accorded to a delegation led by Masabalala, which interviewed the Mayor on the morning of Monday, 19 January 1920. It would appear that this delegation received 'short shrift' from the Mayor; an action which placed the authorities squarely on the side of the 'official' committee. Magistrate C E Stidolph probably expressed the view of the local authorities, when he depicted Masabalala as a demagogue whose support came only from impressionable 'raw natives':

"His attitude was not approved by many of the older and more respectable natives and coloured people, but he had obtained such a sway over the raw native, that the more peaceably disposed natives were overawed and afraid to urge constitutional methods. As far as I was able to ascertain, about half of the natives and coloured people disapproved of Masabalala and his methods."[79]

[77] EPH 3 October 1918.

[78] Ans. 143 - 1921, p. 3.

[79] CeA, JUS 275 2/950/19, Letter from Magistrate, Upington, to District Commandant, SAP, Port Elizabeth, 5 April 1921; Reports containing the views of Police Officers in connection with the Report of the Commissioners (hereafter An. 382 - 1921), pp. 22-3.

To the press, he was the archetypal 'boy' who had had been led astray by the pernicious doctrines of International Socialism. One report called him "an extremely smart and well-informed boy who ... had all the qualities that make for mischief if not properly directed".<sup>[80]</sup> However, such comments chose to ignore the fact that black workers were ripe for incitement because the path of negotiation and accommodation had been discredited.

At three further mass meetings, held simultaneously at different venues, on the night of 27 January, it became apparent that popular feeling was not satisfied with the increase offered by the employers. Unanimous decisions were taken at each meeting to the effect that a 6d. per day increase was insufficient to meet the extra cost of living.<sup>[81]</sup> However, the 'moderates' scored a minor success in securing the election of all members of the 'official' deputation to a new Native Employees' Committee. It was given a mandate to continue negotiations with employers, in order to procure a better offer than the proffered 6d. per day increase. This committee addressed a letter to the Mayor, which was subsequently submitted to the EP Herald for publication, in which it offered its gratitude for the rejection of Masabalala's 'unauthorised deputation'. It claimed that it was the legitimate representative of the 'natives' of Port Elizabeth, Korsten and New Brighton, and that its authority was 'indisputable'.<sup>[82]</sup>

Although these developments gave the moderate Native Employees'

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[80] The Star 27 October 1920 cited in Bloch, 'The Cost of Living', p. 47.

[81] EPH 3 February 1920.

[82] EPH 3 February 1920.

Committee a new lease of life, they decided to avoid future mass meetings. Such a course of action had previously been hinted at. Experience had shown that as platforms for the expression of popular grievances, mass meetings could be captured by 'agitators'. After the first meeting of 18 January, Grattan had drafted a letter, with the concurrence of the 'official' committee, in which he expressed the need to devise a new method of representing grievances to employers. [83] He now suggested that the newly established Native Employees' Committee should be able to negotiate directly with employers. To this end, it appointed a number of sub-committees to deal with employers in the various trades, for it was believed that it might allow each trade sufficient flexibility to negotiate a wage settlement in line with its capacity to pay higher wages. This would also have the effect of removing the necessity for an across-the-board increase and a minimum wage. [84]

Meanwhile, the City Council agreed to a 6d. increase for all employees earning less than 5s. per day, which meant an effective minimum wage of 4s. per day. The increase was only decided upon after a lengthy debate held on 27 January at which a number of resolutions were rejected. A resolution for a minimum wage of 30s. a week found no seconder, and another that the bonus be increased "at the pleasure of the Council" - which meant that it might be removed or reduced when the cost of living came down - also obtained insufficient backing. [85] However, on the ground that a cumulative backlog of wages had developed, the PEMCNEA rejected the offer as insufficient. They asked for an increase of 2s. per day for all employees, failing which, they threatened not to resume duty until an amicable settlement was made. The Council stuck to their offer, and threatened would-be strikers that they would stand to lose their jobs. [86]

Black workers determined to call their bluff, but backed down in the

[83] EPH 19 January 1920.

[84] EPH 14 January 1920; Wickins, 'The ICU of Africa', p. 143.

[85] EPH 22 January 1920.

[86] EPH 4 March 1920.

face of the intractable attitude of the Council. On the day that the work stoppage was scheduled to begin, it was reported that "a large proportion of the coloured and native employees of the municipality came out on strike". In fact, all black employees turned up for work but, instead of commencing work as usual, gathered outside the Municipal depot at North End, where they were addressed by a certain Mr J Anderson<sup>[87]</sup> for about forty minutes. Thereafter, the majority apparently drifted back to work, and only the sanitary and street-cleaning sections were reportedly at a standstill for the entire day. The EP Herald sought to explain the failure of the strike to get off the ground in terms of a lack of solidarity and unsuccessful picketing:

"... there appears to be a great difference of opinion... many of the men being quite satisfied with their lot, and the few irreconcilables were unable to goad them successfully".[88]

The action of the workers only proved to be a token gesture at asserting its rather limited bargaining power. In fact, the only repercussion was that certain union members were discharged or suspended, an act which the Union seemed powerless to prevent. In defending the actions of the Council, the Board of Works responded to a query by the PEMCNEA, that disciplinary steps had been taken against certain members of the Union and that it was not a case of 'victimization'.<sup>[89]</sup> However, nowhere were the reasons for the disciplinary action spelled out, and it can only be presumed that it was for instigating the strike action. The outcome of the strike suggested that the organisation of only one sector of the workforce was fraught with difficulty, and that wholesale mobilisation of the black workforce in Port Elizabeth was a prerequisite for successful arbitration of wage demands.

[87] I have not, unfortunately, been able to ascertain who he was or in what capacity he addressed the crowd estimated to have numbered some two hundred.

[88] EPH 24 February 1920.

[89] CAD, 3/PEZ 3/1/1/1/138, p. 611

The Formation of the PEICWU

About this time the Port Elizabeth Amalgamated Industrial and Commercial Coloured and Native Workmen's Union was formed.<sup>[90]</sup> It apparently printed 12 000 membership cards<sup>[91]</sup> [see Appendix A for example] - more than the entire number of the African population in Port Elizabeth - and claimed a membership in excess of 4 000.<sup>[92]</sup> According to the Schweizer Commission Report, it commanded the support of virtually the entire black labour force:

"The natives who have not actually joined the Union are, nevertheless, in sympathy with its work and influenced by its decisions."<sup>[93]</sup>

The local Union emerged as an independent union, and affiliated to the Industrial and Commercial Workers' Union of Africa (ICWU) which had been established as a result of a conference held in Bloemfontein in July 1920. It was renamed the Port Elizabeth Industrial and Commercial Workers' (Amalgamated) Union of Africa (PEICWU), so as to bring it in line with the national organisation.

Masabalala undoubtedly attended the Bloemfontein conference,<sup>[94]</sup> in his capacity as President of the PE Union. Upon his return he was re-elected to the position. Other members of the executive committee were: Paul Kettledas (Chairman), John Lewis (Treasurer) and Alfred Sidzumo (Secretary).<sup>[95]</sup> Masabalala's speech on the occasion of the Union's annual general meeting, which was reported in the local press

[90] The sources provide no definitive answer as to when the Union was formed. Police reports and newspaper accounts would seem to date its establishment during the early months of 1920, while the Schweizer Commission Report specifies February (Ans. 143-1921, p.1). However, evidence given at Masabalala's preparatory examination [see p. 133] by Grattan and Kettledas suggest that its existence dates from December 1919 or even earlier, but I have been unable to find confirmation of this.

[91] Commission, p. 209. Evidence of Wm. Henry Anderson, Detective Head Constable, CID, PE.

[92] EPH 22 November 1920; PEA 6 November 1920.

[93] Ans. 143 - 1921, p. 3 (para. 15).

[94] The Black Man, November 1920; Wickins, 'The ICU of Africa', p. 137

[95] Other committee members included S Mavavana (Vice Chairman), S Marwanqa (Asst Secretary), W F Gunguluza, G Julie, G Kala, J Malifana, D Oerson, J Ndongeni. See Eastern Advocate, 15 October 1920 (Letter from Frank Mokwena).

'as it was received', was virtually incomprehensible. All that emerges with any clarity, is a call for the Union not to rely on others to secure their demands.<sup>[96]</sup> There can be little doubt that Masabalala felt buoyed by the apparent success of the national conference, and that his rhetoric articulated a new assertiveness amongst Port Elizabeth's black workforce.

The constitution of the PEICWU [see Appendix B] is the earliest document of its type known to the writer. It was, in all likelihood, drawn up shortly after the Bloemfontein conference of July 1920.<sup>[97]</sup> The constitution refers to 'various affiliated Unions' (Clause II(1)), which would seem to imply that it was the mother body of a decentralised organisation with member branches affiliated to it. While it had forged links with similar unions in Aliwal North and East London, even before the formation of the national union,<sup>[98]</sup> these and the PEICWU had become affiliated to the national union, and not vice versa.

Although all references to racial classification in the Union's new name had been dropped, the specific mention of 'Coloured' and 'Native' in its original name emphasises that it sought to recruit members on racial lines. Clause 9(1) which describes the grounds for admission to the Union was inherently contradictory by virtue of the parenthesis:

"All bona-fide labourers, comprising skilled or unskilled labourers, irrespect [sic] of colour, race or creed shall be allowed to join (non-european)."

Its admission of both skilled and unskilled labourers would place it

[96] EPH 26 August 1920.

[97] CeA, JUS 275 2/950/19. It was attached to a letter from the District Commandant, SAP, PE to the Deputy Commissioner, SAP,

in the category of a general labour union, and suggests that members were recruited at random rather than systematically by industrial sector. Union dues, which amounted to an initial 1s. membership fee and a weekly contribution of 3d., would have comprised a significant proportion of the average wages of unskilled workers. Therefore, it is likely that the more highly paid semi-skilled workers constituted the majority of the paid-up membership of the PEICWU, whilst unskilled and casual workers constituted its marginal membership.

Clause 4(e) of the Union's constitution states that it "encourages all workers with a view of ensuring them with monopoly of their labour", which could only be secured by the mobilisation of the entire workforce or, as is invariably the case with unskilled workers, a shortage of labour. While Clause 9(1) should, by definition, have included women as members, a special Clause (17) was inserted (perhaps as an after-thought?) which stated that: "This organisation takes ladies as well as men in their various spheres of labour". It would seem that women were virtually regarded as a distinct class of labourers, for they paid a smaller entrance fee and weekly contribution than men. However, this probably implied a realistic assessment of a *de facto* situation where women received lower wages than men, rather than acceptance of the principle of unequal pay for women.

The rather crude text of the constitution has a number of other incongruities. For instance, in Clause I(1) the PEICWU is termed "this great world wide organisation". As a local body affiliated to a national Union, it could only claim universality by virtue of its identification with the objectives of other working class organisations throughout the world. It included the creation of solidarity amongst its aims and objectives, when it stated the wish to "bring all sections of the black races together". There was also the intention of fostering worker consciousness and mobilisation, viz. "to cultivate sufficient knowledge and power to enable this union to have effect over all Industries as to the benefit of the

working classes". However, the constitution espoused a nationalist or Africanist position, rather than one articulated in class terms. Repeated references to "workers of this Continent" (of Africa), would seem to imply the influence of Pan-Africanism or Garveyism,<sup>[99]</sup> was more pronounced in the text of the constitution than any socialist influence.<sup>[100]</sup>

While the Union's objectives might be regarded as 'moderate', it advocated the use of strikes (Clause 5) or boycotts (Clause 13) in order to achieve its objectives. It assumed (rather naively) that employers would recognise the authority of the Union to arbitrate in disputes involving black workers, when there was no legislation compelling them to do so. Given its stated intention that it would settle such disputes "in favour of the workers" (Clause 5), employers were likely to take a dim view of its claim to arbitrate. There might also have been grounds to assume, as did the District Commandant of the SAP, that the constitution advocated the use of violence in Clause 8(4), when it stated that "at all times a militant spirit shall be cultivated on the side of the worker".<sup>[101]</sup> Whatever this Clause meant exactly is difficult to determine, but the authorities depicted the PEICWU as a militant organisation in the light of its 10s. per day minimum wage campaign and the talk of a strike. The attempt by the authorities to quash the organisation was to precipitate an unprecedented tragedy in Port Elizabeth's history.

It has been argued that the generally moderate views of the black

[99] All issues of The Black Man carried articles on the 'Negro Movement' in America. Cf. R. Pirio and G. Hill, "Africa for the Africans": the Garvey movement in South Africa, 1920-40' in Marks and Trapido (eds), Class, Race and Nationalism in Twentieth Century South Africa, pp. 214-222, for a treatment of the influence of Garveyism on the ICU.

[100] Cf. the preamble of the 1925 revised ICU constitution in S. Johns, From Protest to Challenge, 1, p. 325.

[101] See his comment in his letter to the Deputy Commissioner, SAP, Grahamstown, 4 November 1920 where this clause in the attached constitution is underlined in order to bring it to the attention of his superior officer (CeA, JUS 275 2/950/19).

petty bourgeoisie and their reluctance to give support to mass labour movements caused their insularity and aloofness from the mainstream of black activism.<sup>[102]</sup> While community organisations reflect a broad class composition, general labour unions were thought to draw members from the working class only. Alternatively, it has been contended that trade union leaders, who did not develop organically out of the working classes, imposed a (bourgeois) leadership from the outside.<sup>[103]</sup> However, the African middle class was fractured; for as Bonner has shown, they were pulled two ways: the more established and affluent continued to support an ideology articulated by the ruling classes, others identified with the working classes, while the remainder were caught between the two. The concomitant radicalisation of the incipient petty bourgeoisie created an alliance with the working classes, which was to provide the basis for a broad populist movement of agitation towards the end of the War and beyond.<sup>[104]</sup>

Whilst my focus has been on Port Elizabeth's African population, I have endeavoured to relate its interaction with the wider community. The epithet 'Coloured and Native' was used by both the PEMCNEA and the forerunner of the PEICWU, in the names of their organisations. The composition of the PEICWU leadership, which presumably reflected that of its membership, included a significant number who would probably have been classified as 'Coloureds'. There is also good reason to suppose that Masabalala, who himself lived in Korsten, had a fairly large 'Coloured' following. Thus, the PEICWU was an inter-racial, as well as cross-class movement. This chapter has suggested, then, that Port Elizabeth's first general labour union was able to bring together a large proportion of the city's under-classes in the immediate post-war period.

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[102] P. Walshe, The Rise of African Nationalism, p. 93.

[103] P. Bonner, 'The Rise and Decline of the ICU: A Case of Self-Destruction?' in E. Webster (ed), Essays in Southern African Labour History, p. 118. Cf. Bradford, 'The ICU in the Countryside', p. 20.

[104] P. Bonner, 'The Transvaal Native Congress, 1917-20: the radicalisation of the black petty bourgeoisie on the Rand' in S. Marks and R. Rathbone (eds), Industrialisation and Social Change in South Africa: African Class Formation, Culture and Consciousness, 1870-1930, pp. 270-313.

#### Chapter 4: The Disturbances of 23 October 1920

This chapter will describe the sequence of events which culminated in the Port Elizabeth shootings of 23 October 1920. A showdown between black workers and employers was diverted by the intervention of the local authorities, who arrested Masabalala and provoked a spontaneous act of defiance by a large number of black workers. This account will suggest that the propensity for violence simmers just below the surface among the oppressed classes of society. Such violence is often sporadic and unco-ordinated, and not the violence of systematic resistance. On this occasion, the response of the police, the symbol of white authority, was brutally violent.

##### The Arrest of Masabalala

After his return from the Bloemfontein conference in July 1920, Masabalala continued to press for a minimum wage, which was in excess of the 8s. for urban unskilled workers and 4s.6d. for farm workers recommended by the ICWU at its inception.<sup>[1]</sup> Letters were addressed to various employers, calling upon them to pay a wage of 10s. a day for a male labourer and 7s.6d. for females. The failure to comply with this demand would, it was threatened, result in a general strike being called by the Union. A meeting of principal employers engaging the services of PEICWU members, was called on 28 September in response to the Union's demands. These employers adopted a 'hardline' attitude, largely in response to the persuasion of Harraway, the Chairman of the PECOC, who argued that to reply to the Union's letter would accord it recognition. He stated that he was

"perfectly sure that the merchants of this town would refuse to negotiate with this Native Union in any shape or form, as Masabalala was only sent down here to organise the natives for the purpose of creating trouble... The Government should not have interfered or recognised this Native Union at all. If this Union is recognised, we are simply creating trouble for ourselves."<sup>[2]</sup>

[1] Bradford, 'The ICU in the South African Countryside', p. 2; Wickins, 'The ICU of Africa', p. 149.

[2] CeA, NTS 7657 3/332, Memorandum of meeting, 28 September 1920.

In an attempt to discredit the Union, figures were cited to 'prove' that the PEICWU had a membership of only 2 000, which represented a small fraction of the total black workforce of the districts of Port Elizabeth, Uitenhage and Alexandria. It was unanimously resolved that

"as this Native Union does not properly represent all the natives concerned, it would be as well for the Government to leave matters in the hands of the employers of this class of labour, and that it would be unwise to give this Union any recognition."<sup>[3]</sup>

The employers even considered it unwise to convey their decision to the Union for that act, in itself, would have constituted a form of recognition.

The only concession these employers were prepared to make was to review the wages of black workers in their employ 'with a view to considering increases where necessary and warranted'.<sup>[4]</sup> They were prepared to heed Grattan's argument that consideration should be given to 'older men with families who live on a better scale' than manual labourers ('pick and shovel men'). It seemed to employers that if migrants were only temporary sojourners in the town and were able to remit money to the 'native territories', they did not need extra income to supplement their rural subsistence. A meeting of the Executive of the PECOC, held on 1 October, endorsed this view and advised their members that prevailing economic conditions necessitated some relief for the 'civilised native'. It was also stated that although the accepted minimum wage for 'raw natives' was between 3s. and 3s.6d. per day, the merchants tended to pay at least 4s. and as much as 7s.6d. per day. Moreover, Harraway argued that under the depressed commercial conditions many merchants could afford to dispense with a large number of their native employees who were 'kept in employment through sentiment', and hinted that if a strike materialised 'they would not hesitate to cut down their numbers very considerably'.<sup>[5]</sup>

[3] CeA, NTS 7657 3/332, Memorandum of meeting, 28 September 1920.

[4] *Ibid.*

[5] CeA, NTS 7657 3/332, Statement signed by Harraway, 2 October 1920.

Masabalala - whether he was aware of these veiled threats or not - called for a general strike at a public meeting held on 3 October 1920. A resolution to this effect was carried by the majority of those present, who rejected the alternative proposition of reapproaching employers. This occurred despite the fact that the motions were ruled out of order by the Union's Chairman, Kettledas who said, that in terms of the Union's constitution, a proposal must first be acceptable to the PEICWU Committee. When the resolution was referred (retrospectively) to the Committee, it rejected strike action by a majority of 8 to 4.<sup>[6]</sup> Thus, Masabalala had popular support, but the course of action he proposed did not have the unanimous support of his fellow Committee members. Events which were to follow would seem to suggest that Kettledas and the Secretary, Sidzumo played a major role in trying to exert a moderating influence on the direction of the Union. Divisions amongst the Union's leadership threatened to blunt the impact of Masabalala's campaign for wage increases, and also served to nullify the Union's potential to mobilise workers in a united front.

In spite of the Committee's failure to approve strike action, it had gained sufficient support amongst the black workforce to make a general strike viable. Certainly the local authorities reckoned it to be a cause for concern. Captain Halse, District Commandant of the SAP, summoned Masabalala for a meeting and "pointed out to him the seriousness of preaching violence and of preventing those willing to work from doing so". Masabalala's rejoinder was that there would be no necessity to enforce a strike, for when it was called all members of the Union 'would come out simultaneously'.<sup>[7]</sup> Masabalala pressed ahead with his independent course of action, and towards the end of September it was freely said that a strike would take place early the following month.

[6] EPH 19 November 1920. Evidence of Kettledas given at Masabalala's preparatory examination. See p. 133.  
 [7] CeA, JUS 275 2/950/19, Letter from District Commandant, SAP, PE to Deputy Commissioner, SAP, Grahamstown, 4 November 1920; JUS 276 2/950/19, Statement of Halse to the Inquest, p. 35 [hereafter Inquest] ; Port Elizabeth Advertiser (PEA), 6 November 1920.

The arrival of Rev W B Rubusana, [8] in Port Elizabeth on 5 October for the annual assembly of the Congregational church, was viewed by moderate black leaders as a fortuitous occurrence. A respected African leader and an East London Congregational Minister, he was the only African to have been a member of the Cape Provincial Council. An eminent figure in the South African Native National Congress (SANNC) until the previous year, he had subsequently thrown in his lot with Meshach Pelem's Bantu Union and had become Vice-President of that organisation. The Bantu Union derived its support mainly from the educated elite in the eastern Cape, and was a proponent of constitutional methods. By contrast, the Transvaal Native Congress, to which the leadership of the SANNC had shifted decisively in June 1917, had recently expressed itself in favour of populist protest action. It registered support for the passive resistance campaign against the pass laws, and had come out in favour of industrial action. [9] Rubusana was considered the ideal foil for Masabalala's influence amongst the local African community. He had been successful in exercising a moderating influence on East London workers' demands between July 1918 and March 1920, when he had negotiated a succession of compromise wage settlements. [10] At the invitation of certain moderate leaders, [11] Rubusana was invited to address a public meeting on the evening of 13 October at Korsten. The following evening he addressed a meeting at New Brighton at the invitation of Grattan. On both these occasions he condemned the strike movement as

[8] For biographical information about Rubusana, see T.D. Mveli Skota, African Yearly Register, p. 251; G. Gerhardt and T. Karis (eds), From Protest to Challenge, Vol 4: Political Profiles, pp. 134-5; Walshe, The Rise of African Nationalism, pp. 164-5; Imvo 15 March 1951.

[9] Bonner, 'Transvaal Native Congress', p. 293; P. Maylam, A History of the African Peoples of South Africa, p. 156; Davenport, South Africa: A Modern History, p. 262.

[10] CeA, NIS M.3044 768/18/f473, Unidentified newspaper reports; Wickins, The ICU of Africa, pp. 51-2.

[11] This was asserted by Rubusana himself in his testimony before the Inquest, PEA 6 November 1920. In a report published in the EPH, 22 November 1920, it was stated that Rubusana was invited to speak by S Cartu (Katta?), E Ngial (Ngesi?) and Rev J Gqantane (Gqamlana?), who were members of the Native Employees' Committee. Grattan records that Rubusana stayed with Rev Gqamlana in the New Brighton Location, CeA, NTS 7657 3/332, Letter to the Magistrate, PE, 18 October 1920.

the work of shortsighted 'agitators' who did not have their best interests at heart.<sup>[12]</sup> However, he reportedly received a mixed reaction, when he appealed to his audience to 'seek a peaceable and constitutional means to gain their object'.<sup>[13]</sup>

Rubusana attended a further public meeting held at Korsten on 17 October, after having delayed his return to East London at the request of Grattan who hoped that his continued presence would act as a moderating influence on the demands of the Union. He attended the meeting as an observer in the company of one Joseph Kala, who was a wardman in the New Brighton Location. At the meeting certain members of the PEICWU's executive also expressed reservations about the wisdom of strike action. Kettledas maintained that the Union was not in a sufficiently strong financial position to support members while the strike was on, especially if it continued for any length of time. The funds of the Union stood at only £246, and if members were to be paid out 3s. per week while on strike, the funds would be exhausted in next to no time. Secondly, Kettledas warned that there was every likelihood of employers replacing strikers with 'scab' labour from places such as Grahamstown and Uitenhage, as had happened on a previous occasion and, therefore, it was necessary to extend the influence of the Union before embarking on strike action. He appealed to his audience to weigh up the matter carefully before deciding on a course of action.<sup>[14]</sup>

When Masabalala took the platform he delivered an emotive speech calculated to arouse hostility against those who stood in his way. He sought to discredit his own Committee and, in their presence, appealed to the audience to support strike action. He asked whether he or the Committee was in touch with the views of its members, declared that he would abide by the decision of the majority, ~~Masabalala~~<sup>11 p 3</sup> declared that he was prepared to die for the cause he advocated:

[12] Inquest, p. 31. Statement by Rubusana.  
 [13] EPH 15 October 1920.  
 [14] Inquest, p. 32.

"We are going to strike at the end of the month. I am not a coward, and I am not afraid, there is only one death... I am prepared to die for you." [15]

His bluster and false bravado provoked a mixed reaction. With emotions running high, Masabalala apparently accused Rubusana of profiting from addressing the previous meetings, and suggested that he had been co-opted by the authorities to do this. He also called upon the audience not to listen to 'wiseacres from other districts' who 'had come from hell and from the devil'. After his speech, a section of the crowd commenced with the singing of a hymn, and Rubusana was allegedly assaulted by followers of Masabalala. Kettledas also claimed to have narrowly escaped being the subject of an assault when he hurriedly closed the meeting. [16]

According to Rubusana, the assault on him was pre-planned. He maintained that the nature of Masabalala's speech had been designed to incite the audience to violence, and that the singing of the 'weird' hymn was a signal for the attack. [17] He recalled that after the first verse the 'meeting' turned on him as one man and strove to do him physical injury'. [18] The crowd which bore down upon him had apparently been influenced by Masabalala labelling him a collaborator, for they called him 'a thief, a traitor, a dog and seller of his people'. [19] Rubusana managed to escape with light and superficial injuries, despite his assertion that Masabalala's followers were intent on doing him harm. However, Kala's statement to the inquest and Rubusana's own evidence before the Commission of Enquiry suggested that Masabalala, himself, and some of the Committee members went to his rescue, when the situation assumed ugly and

[15] PEA 6 November 1920. Inquest evidence.

[16] EPH 19 November 1920. Evidence at Masabalala's preparatory examination.

[17] In a letter from Grattan to the Magistrate, PE, 18 October 1920, it was claimed a statement had been made under oath by a Union committee member (Kettledas?), that the assault was a pre-arranged affair. See CeA, NTS 7653 3/332.

[18] EPH 18 October 1920.

[19] PEA 6 November 1920.

really dangerous proportions.<sup>[20]</sup> Despite the inconsistencies in the evidence,<sup>[21]</sup> there appears little doubt that Masabalala instigated the assault. Kala asserted that 'it was Masabalala's spirit that incited the natives to act as they did'.<sup>[22]</sup> Rubusana offered the following explanation for Masabalala's actions:

"It is [sic] no doubt that he found my assurance and personal influence were a blow to his leadership and that is the real reason why I was assaulted."<sup>[23]</sup>

The nature of the attack and the extent of the physical injuries inflicted on Rubusana, do not suggest that it was anything more than an attempt to frighten him off. It would seem probable that the assault was to prevent him from undermining the more militant direction in which Masabalala was leading the Union.

Masabalala himself held that Rubusana came "with the intention of subverting the demands of the Union".<sup>[24]</sup> The organ of the ICU, The Black Man, accused employers of ignoring local leaders and "importing Rubusana to come to their assistance". It asserted, furthermore, that Rubusana had allowed himself to become captive to the conservative 'clique', in spite of the fact that the influence of this 'old guard' had been arrested by growth of the PEICWU. To hostile observers, the assault on Rubusana was part of a pattern of increasing militancy by a group of activists under the leadership of Masabalala. The EP Herald, in reporting the assault, spoke of the appeal of 'some self-constituted native leaders' with extreme views exercising a strong influence on the 'irresponsible and generally youthful

[20] Inquest, p. 3; The Black Man November 1920 (Letter from Masabalala); Ans. 143 - 1921, p. 4 (para. 19).

[21] The evidence that both men gave before the Inquest, the Commission of Enquiry and Masabalala's preparatory examination was not altogether consistent with newspaper accounts of the alleged assault.

[22] Inquest, p. 4.

[23] Inquest, p. 34.

[24] The Black Man November 1920 (Letter from Masabalala). Two other articles in the same issue criticised Rubusana in no uncertain terms. Writing in Umteteli wa Bantu (2 December 1920), M M Maxeke described Rubusana as a 'turncoat' and compared him to Judas Iscariot for "siding with Europeans" against his own people. Accounts of the incident in Imvo (19 October 1920) and Ilanga lase Natal (22 October 1920) were far more sympathetic of Rubusana.

element' who had engaged in 'protest and dangerous talk'.<sup>[25]</sup> The talk was followed by a notice published in the local press, which read as follows:

"We notify the public of Port Elizabeth and the employers of labour that if we do not get a satisfactory answer before 3rd November, at 11 a.m. we are going on strike, even a decrease on foodstuffs and clothing to pre-war prices, will do but nothing else as we can no longer wait, we have tried all efforts."<sup>[26]</sup>

Masabalala had drafted the strike notice without the authorisation of his committee,<sup>[27]</sup> which was a clear indication that his break with the 'moderates' was final.

As the planned strike drew nearer, white fears were aroused that it might be accompanied by violence. In a letter to the Magistrate, dated 21 October 1920, Grattan reported a request from a committee representing the white traders of the New Brighton Location for police protection. They were said to have expressed

"grave fears that there would be considerable violence and disturbance during the strike of Natives and Coloured people advertised to take place on the 3rd November".<sup>[28]</sup>

Grattan himself endorsed the need for caution when he stated that

"I do not wish to appear panicky, but I think the risk of violence being done to the Traders, Railway officials and other Europeans in the vicinity of the Location is sufficiently grave to make it necessary that sufficient precautions should be taken."<sup>[29]</sup>

He claimed that coercion of non-members of the Union had been effected by the threat that they would be unable to obtain employment. He also suggested that there was a likelihood of factional violence between supporters and opponents of the strike, when he expressed the view that 'there are a large number of law-

[25] EPH 18 October 1920.

[26] EPH 19 October 1920; Abantu Batho, 28 October 1920.

[27] EPH 19 November 1920.

[28] CeA, JUS 275 2/950/19, Letter from Superintendent of New Brighton Location to Acting Magistrate, 21 October 1920.

[29] *Ibid.*

abiding Natives here who will also need protection'.<sup>[30]</sup> This perception was given extensive vindication in later evidence provided by the authorities. For instance, the Acting Magistrate, C E Stidolph, alleged that

"some weeks prior to the 23rd October the natives at Port Elizabeth had been causing very considerable unrest and anxiety amongst the European population of the City, and that ... the nerves of the Europeans, especially the ladies, were on edge as a result of the truculent attitude generally of the natives... there is no question that Masabalala was the *fons et origo* of this attitude."<sup>[31]</sup>

Stidolph also asserted that domestic servants and other employees had been responsible for open defiance and threats against their employers, because they had been intimidated by militant Union members. Captain Halse maintained that certain residents had asked for protection against the Africans, or even firearms for purposes of self-defence be issued. He recalled that

"ever since the meeting on the 17th [October 1920], the Natives had become very insolent and threatening, and at least two instances were brought to my notice where Natives had threatened Storekeepers that their shops would be looted as soon as the strike was declared."<sup>[32]</sup>

Halse also claimed that he had requested an additional 100 or 150 police reinforcements on 21 October, and that men were ordered to stand by at East London, Cradock, Grahamstown, Graaff-Reinet and Middelburg.<sup>[33]</sup> If it were the case that violence preceded and might have, in their estimation, accompanied the pending strike, the authorities would have been justified in taking precautions to prevent any danger to life and property. Ironically, the only violence directed at whites followed the shootings, which were the outcome of an attempt by the authorities to avert the strike.

[30] *Ibid.* Grattan's views expressed in the letter cited should be contrasted to those of ten months previously [see p. 75].

[31] *An. 582 - 1921*, p. 22.

[32] *An. 582 - 1921*, p. 15.

[33] *Commission*, p. 246. The Department of Justice files, however, would appear to suggest that such steps were only taken after the shootings and not as precautions.

On 21 October, an appeal was directed by Stidolph, to the Secretary for Justice, for the grant of special authorisation to prohibit public meetings in terms of Section 1(1) of the Riotous Assemblies and Criminal Law Amendment Act 27 of 1914. By means of this Act, a local magistrate could be given special authority by the Minister to prohibit a 'particular public meeting'. However, a degree of uncertainty existed with regard to the interpretation of the circumstances in which such legal powers could be vested in the Magistrate by the Minister. This was reflected in correspondence which had passed between officials in the Department of Justice. The Acting Magistrate of Pretoria expressed the opinion that

"In my view the expression 'acting under special authority from the Minister' is intended to convey that the Minister may grant a general authority to a specified Magistrate to act in any circumstances contemplated by the Act and at any time... To put any other interpretation on the Act would render it useless for the purpose for which it was framed." [34]

The Law Adviser, on the other hand, reflected that

"To my mind the use of the word 'special' in conjunction with the words 'particular public meeting' necessarily implies that the Minister also must have information of an intention that a particular public meeting is to assemble..." [35]

It would appear that the Minister of Justice refused to approve the step of prohibiting a public meeting without specific evidence of the intentions of the organisers. However, the Magistrate either assumed that such permission would be a foregone conclusion, or decided to pursue his own course of action without the necessary authorisation.

The action contemplated by the Magistrate, after consultation with Halse and Grattan, was justified on the grounds that the threat of a general strike by black workers would exacerbate an already tense situation caused by impending strike action of white employees of the Port Elizabeth Municipality (PEM). Provisions of the Riotous

[34] CeA, JUS 480 1/42/19, Letter from the Acting Magistrate, Pretoria to the Secretary for Justice, 6 March 1919.

[35] CeA, JUS 480 1/42/19, Memorandum from the Law Adviser to the Secretary for Justice, nd.

Assemblies Act could be invoked by local authorities to ensure the supply of essential services, which, by definition, would include control over municipal employees responsible for their provision. According to a memorandum drawn up by the Department of Mines and Works:

"the provisions of the said Act overrode the provisions of any other law or bye-law when it came to interpreting the rights of municipal employees and the like..."[36]

However, there was a loophole in the legislation whereby it was necessary for such employees to provide twenty-four hours' notice before the cessation of work. The possibility of the strike was due to the breakdown in negotiations, which had been in progress since early October, between the Port Elizabeth Municipal Employees' Association (PEMEA) and the Council, over the question of a wage increase. The PEMEA had called in the National Secretary of the South African Association of Municipal Employees (SAAME), Victor Lewis, to present their case. Port Elizabeth's Inspector of White Labour, G H Ludorf, had also intervened in a bid to resolve the impasse, by suggesting the holding of a round table conference between the Council and its employees. While the Council accepted in principle the need for revision of wages, no agreement could be reached on the method of arbitration nor the finer details of increases.<sup>[37]</sup>

There were also negotiations in progress between the Amalgamated Engineers' Union (AEU) and their employers at this time. Ludorf hoped to convince AEU members of the Joint Voluntary Board, who were handling the negotiations on behalf of Union members, to 'postpone any further action or negotiations until such time as the native trouble should have blown over'.<sup>[38]</sup> Not only did this strategy reinforce racial divisions within the working class, it also proved an effective ploy to postpone a wage settlement with white workers.

[36] CeA, MNW 548 3431/20, Memorandum entitled 'Conciliation and Arbitration between Employers of Labour and their Employees in South Africa', 17 December 1920.

[37] This paragraph is based on a sequence of correspondence to be found in CeA, MNW 546 3315/20.

[38] CeA, JUS 275 2/950/19, Letter from G.H. Ludorf, Inspector of Labour to Superintendent and Chief Inspector of Labour, Pretoria, 25 October 1920.

Having been unable to obtain the necessary authorisation in time to pre-empt the strike, the local authorities decided to place Masabalala in custody. The arrest was to be effected without a warrant, with Stidolph using the argument that 'the Magistrate should not see the evidence before the case comes before him' to justify this step.<sup>[39]</sup> These actions would later be justified in terms of Section 26(b) of Act 31 of 1917, which enabled the police to make an arrest, without a warrant, for an offence described in Schedule 1 of the Act.<sup>[40]</sup> On the strength of sworn affidavits by Rubusana and Kala, which alleged that Masabalala had been responsible for provoking the assault on Rubusana at Korsten the previous Sunday, a charge was framed under Section 7 of Riotous Assemblies Act which stated that

"a person is deemed to have committed the common law offence of incitement to public violence if, in any place whatever, he has acted or conducted himself in such a manner, or has spoken or published such words, that it might be reasonably expected that the natural and probable consequences of his act, conduct, speech or publication would, under the circumstances, be the commission of public violence by members of the public generally or by persons in whose presence the act or conduct took place or to whom the speech or publication was addressed."<sup>[41]</sup>

While admitting that the decision to arrest Masabalala had been taken in consultation with Stidolph and Grattan, Halse sought to accept full responsibility for the consequences of the act.<sup>[42]</sup> The Black

[39] An. 656 - 1921, p. 3 (para. 10).

[40] Commission, pp. 210, 240; An. 582 - 1921, p. 15. This point was made by Anderson and Halse, in both of whom the Commissioners expressed doubts as to the credibility of their testimony (An. 656 - 1921, pp. 2-3).

[41] J.R.L. Milton, South African Criminal Law and Procedure, Vol II, p. 89. Cf. General Law Reports, OFS Provincial District, Rex vs. Msimang (OPD 38, 1919), pp. 38-44, which established an important legal precedent in the framing of the charge of incitement to public violence, when it was held that the charge must specify the words used to incite a crowd. Reference was made to this case by the Schweizer Commission (p. 240), but Halse admitted no knowledge thereof.

[42] CeA, JUS 276 2/950/19, Inquest Statement by Halse, p. 35; PEA 6 November 1920.

Man maintained that the Government condoned the illegal arrest of Masabalala before strike action had been decided upon.<sup>[43]</sup> At least two secondary sources suggest that the arrest was effected on instructions from Pretoria,<sup>[44]</sup> but this is not substantiated by the available primary sources. Masabalala, himself, believed that the Government had ordered his arrest, even though his only 'crime' had been to seek to obtain bread for his starving fellow workers.<sup>[45]</sup>

The reason for the arrest of Masabalala was quite clearly to pre-empt strike action. Stidolph unwittingly conceded this in a letter to the Secretary for Justice, when he asked whether:

"there are any means of removing this man [Masabalala] from the district as an undesirable for the space of six months or so."<sup>[46]</sup>

More weight should be attached to this letter, which was written before the disturbances, than to statements made at a later date, which might easily be construed as<sup>[47]</sup> *post hoc* vindications of the actions of the authorities. Even such statements show a measure of inconsistency and require some 'reading between the lines'. For instance, in a letter addressed to his superior after the shootings, Captain Halse offered a slightly different explanation for the arrest of Masabalala:

"I cannot sufficiently emphasise that the threatened strike had nothing to do with Musabalala's [sic] arrest, which was purely as a result of the violence which followed the speech he made on the 17th..."<sup>[48]</sup>

[43] The Black Man November 1920.

[44] E. Walker, A History of Southern Africa, p.587 and E. Roux, Time Longer than Rope, p. 157, who bases his account of the disturbances (solely?) on that of S.H. Kemp, 'The Masabalala Bloody Upheaval', Illustrated Bulletin, (May 1946), p. 22. According to Kemp, Halse stated that he was acting on instructions from Pretoria. He would give no particulars as to the reason for Masabalala's arrest, which Kemp assumed was to pre-empt the strike.

[45] PEA 30 July 1921.

[46] CeA, JUS 275 2/950/19, Letter from Magistrate, PE to the Secretary for Justice, 21 October 1920.

[47] The Commission of Enquiry certainly attached more significance to it than the other evidence brought before it with regard to the reason for Masabalala's arrest, if Abdurahman's opinion is anything to go by. In a communication to Smuts dated 9 December 1920, he quoted extensively from Stidolph's letter. (CeA, PM 1/1/417 277/1920).

[48] CeA, JUS 275 2/950/19, Letter from Commandant, SAP, PE to the Deputy Commissioner, SAP, Grahamstown, 4 November 1920.

However, in a later brief to the same officer, he gave the argument a slight twist when he stated that he 'was not so much concerned with the prevention of a strike', but in preventing 'the trouble he believed would arise if the strike came about'.<sup>[49]</sup> Grattan's evidence before the Schweizer Commission on this question was also somewhat inconsistent, although it showed some resemblance to that given by Halse. At one point, he testified that the arrest was to avert a clash between strikers and non-strikers which he believed would occur should the strike be staged, rather than to prevent the strike as such.<sup>[50]</sup> Yet, elsewhere, he implied that it had been decided to act upon the advice of his staff, who told him that they thought the arrest of Masabalala would have the effect of postponing the strike.<sup>[51]</sup> This squares with the statement made by Stidolph, which was not made with the benefit of hindsight, and a need to justify his actions after the shootings.

Early on Saturday morning, 23 October 1920, Masabalala was arrested at his Korsten home, by Detective Head-Constable W H Anderson of the Port Elizabeth CID, and confined in the cells of the Baakens Street Police Station. Later that morning, Captain Halse, accompanied by Stidolph and Grattan, proceeded to the New Brighton Location, in an attempt to ascertain the reaction to Masabalala's arrest. Certain of Grattan's lackeys, confirmed what he wanted to hear, when they 'agreed that nothing but good could result from the arrest'.<sup>[52]</sup> Similarly, Stidolph claimed they had been assured by 'moderate natives' that the arrest of Masabalala was the wisest step which could have been taken, and one which was likely to avoid further trouble.<sup>[53]</sup> This prognostication could not have been further from the truth, for Masabalala's arrest had grave consequences.

[49] An. 582 - 1921, p. 15.

[50] Commission, p. 96.

[51] Commission, p. 100.

[52] CeA, JUS 275 2/950/19, Letter from Halse to the Deputy Commissioner, SAP, Grahamstown, 4 November 1920.

[53] CeA, JUS 275 2/950/19, Letter from C E Stidolph, Magistrate, Upington to District Commandant, SAP, Port Elizabeth, 5 April 1921; An. 582 - 1921, p. 23.

The Demonstration Outside the Baakens Street Police Station

News of Masabalalala's arrest spread rapidly amongst Port Elizabeth's black workers, who showed that they were capable of initiating their own action. As it was Saturday morning, and a half-day for most workers, they took steps to publicly protest the detention of their leader before they returned home. Consequently, shortly after 1 p.m., a crowd, estimated at between 200 and 400, gathered in the Market Square to discuss what should be done to effect the release of Masabalalala. Despite a high profile police presence at the meeting, the crowd gave its attention to an array of speakers, who addressed their audience from the Obelisk. Halse, who was accompanied by Sub-Inspector Hart, testified to having witnessed several 'violent' speeches by men who advocated the forcible release, if necessary, of Masabalalala.<sup>[54]</sup> One speaker, later identified as a certain Fani Hase, apparently wanted to know whether Masabalalala had committed any crime to justify his detention, and threatened to effect his release, if it were not the case.<sup>[55]</sup> After a number of speeches, which police witnesses regarded as inflammatory, the crowd decided to appoint a deputation to interview the District Commandant, and demand Masabalalala's release. Halse, meanwhile, had instructed Hart to place an armed guard at the entrance to the Police Station, 'in case the natives should try to force a way in'.<sup>[56]</sup>

Halse returned to the Police Station where he received the deputation led by two Union officials, namely Sidzumo and Kettledas. They

[54] CeA, JUS 275 2/950/19, Letter from District Commandant, SAP, PE, to Deputy Commissioner, SAP, Grahamstown, 4 November 1920.

[55] CAD, 1 PEZ 1/1/2/35, Port Elizabeth Magisterial Records. Deposition by Vani Jakuja, Native Detective, at the trial of Fani Hase, 6 December 1920. A second deposition was submitted by Detective-Sergeant James Davidson, who admitted that he did not understand the "Kafir language" in which the defendant had held forth "in an excited manner for about 15 minutes". See below p. 141.

[56] Inquest, p. 36; PEA 6 November 1920.

approached him to release Masabalala on bail. He informed the deputation that he was not prepared to admit Masabalala to bail because 'the charge was so grave'.<sup>[57]</sup> He would, later, categorically deny the assertion that the deputation had been prepared to deposit a considerable sum of money, as security for Masabalala, pending good behaviour before his court appearance.<sup>[58]</sup>

In addition, the then Sanitary Inspector, S H Kemp, claimed that he had been approached by several African municipal workers to stand security for Masabalala. Furthermore, he and W Lawson Brown, the PEMCNEA's legal representative, had also approached Halse, with a view to effecting Masabalala's release, on bail.<sup>[59]</sup> Halse's refusal to release Masabalala, was later justified on the grounds that having made an arrest, in terms of the Riotous Assemblies Act, bail could only be set at the discretion of the Magistrate.<sup>[60]</sup> But there had been an agreement between Halse and Stidolph to arrest Masabalala and deny him bail.<sup>[61]</sup> Moreover, Halse himself admitted to the Commission of Enquiry, that he and Stidolph could have bailed Masabalala out.<sup>[62]</sup>

While their leaders were locked in negotiation inside the Police Station, the Union members congregated outside to await the results of these representations [see Photos 1 & 2]. Halse cautioned the deputation to adopt a 'reasonable' attitude, and stated that bail would be considered when Masabalala appeared before the Magistrate, the following Monday.<sup>[63]</sup> After the interview, Halse, with Sidzumo acting as interpreter, attempted to convey his refusal to release Masabalala by stating that justice would be done when the case came

[57] Inquest, p. 36.

[58] Ans. 143 - 1921, p. 4 (para. 21). Cf. An. 582 - 1921, p. 12.

[59] S.H. Kemp, 'The Masabalala Bloody Upheaval', Illustrated Bulletin, May 1946, p. 22. Interestingly, this statement was not made in his evidence before the Schweizer Commission but only in the above article some 26 years later.

[60] CeA, JUS 275 2/950/19, Letter from District Commandant, SAP, PE, to Deputy Commissioner, SAP, Grahamstown, 4 November 1920.

[61] An. 656 - 1921, p. 3 (para. 10).

[62] Commission, p. 241 cited in An. 656 - 1921, p. 2.

[63] An. 582 - 1921, p. 12.

STREET PLAN OF AREA SURROUNDING BAAKENS STREET POLICE STATION

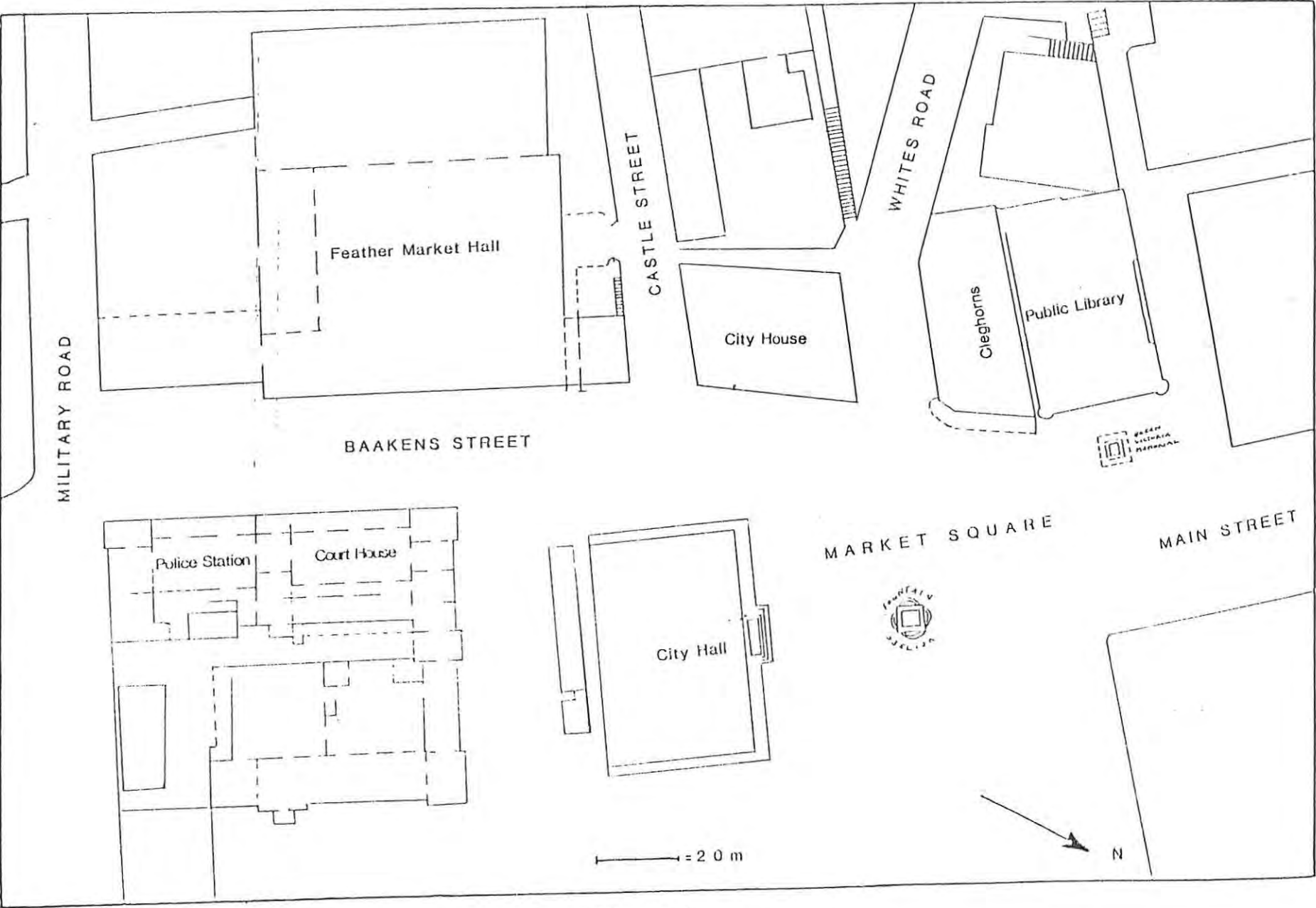


Figure 6



1 & 2. The Scene outside the Baakens Street Police Station during the afternoon of 23 October 1920 (SAP Museum Archives, Pretoria).

to trial. A similar appeal, made by Kettledas, with the added assurance that were Masabalala to go to trial, he would be found not guilty, apparently fell on deaf ears. Sidzumo managed to placate the restive crowd and persuade them to adjourn to the Market Square.

Another round of speeches followed. At about 2.30 p.m., Sidzumo returned to the Police Station with an ultimatum, with which he was clearly uncomfortable. He stated that the meeting had decided that if Masabalala had not been released within three hours, the Police Station would be forcibly entered, and the prisoner set at liberty.<sup>[63]</sup> Thereafter, the crowd dispersed but threatened that they would regroup, after 5 p.m., to demand Masabalala's release.<sup>[64]</sup> Halse took the warning seriously enough to take extra precautions. He instructed his men to strengthen the guard at the entrance to the Station, and place all available men on standby.<sup>[65]</sup> Stidolph decided to close the bars at about 4.30 p.m., and Sergeant W H Anderson was despatched to instruct the hotel keepers to comply with the Magistrate's wishes.<sup>[66]</sup>

While in the vicinity of North End, at about 5 p.m., Anderson reported having seen 'hundreds of natives all on the trot' moving in the direction of the centre of town. He claimed that some of this group had two kerries, which clearly implied that they were seeking a fight.<sup>[67]</sup> It was common practice for Africans to come to town carrying walking sticks - as distinct from kerries - despite municipal regulations which expressly forbade it.<sup>[68]</sup> Another policeman, Sergeant W Orchison, emphasised the apparent danger posed to life and limb, when he made the claim that, in his vast experience, there was 'nothing to be feared as much as the Cape

[63] Inquest, p. 30. Statement by A. Sidzumo.  
 [64] Ans. 143 - 1921, p.4 (para. 22).  
 [65] Ans. 143 - 1921, p. 4 (para. 23).  
 [66] Inquest, p. 13.  
 [67] Inquest, p. 5; Commission, p. 210.  
 [68] Ans. 143 - 1921, p. 4 (para. 24).

native armed with a fighting stick'.<sup>[69]</sup> The police statements were clearly attempts to convey the impression that the Africans who entered the town, were bent on confrontation with the forces of law and order. It is noteworthy that there had been no hostility on their part until after bail for Masabalala had been refused. They probably had become convinced that only a show of force might 'persuade' the authorities to release Masabalala. Accordingly, word had been spread in New Brighton and Korsten, that the people should gather at certain vantage points and enter town *en masse* in an apparent show of solidarity of the community's strongly-felt desire to secure the release of Masabalala.<sup>[70]</sup>

The crowd, which gathered outside the Baakens Street Police Station, initially numbered a few hundred, but gradually swelled to between 2 000 and 4 000. The majority of the crowd were Africans, but there were also a large number of 'Coloureds' present. In addition, a number of whites also congregated to watch the spectacle, although most of them remained on the perimeter of the crowd. The temper of the crowd is difficult to gauge on account of conflicting testimony of witnesses, and their tendency to telescope the sequence of events. One white bystander stated that the blacks showed no hostility towards him nor to the public in general.<sup>[71]</sup> Other spectators appeared to mix quite freely with the crowd, and Stidolph, passed through the crowd on three separate occasions without any harm befalling him.<sup>[72]</sup> However, the Inspector of Labour, G H Ludorf, recounted that when he reached the scene at about 5.30 p.m. he was 'immediately struck [not physically] by the hostile attitude of the natives', but no harm befell him either.<sup>[73]</sup> Certain witnesses even testified to having stood with their backs against the Station wall, in order to get a better view of the proceedings, as the crowd

[69] An. 582 - 1921, p. 21.

[70] Interview with Mr Douglas Malezi, Port Elizabeth, 14 March 1986.

[71] Commission, p. 234. Evidence of Mr J R Forbes; Communication from Mr Saville Watson, 30 July 1987, who remembers his father driving through the crowd which parted amicably.

[72] PEA 30 October 1920 ('Saturday's Disturbances').

[73] CeA, JUS 275 2/950/19, Letter from Ludorf to the Chief Inspector of Labour, Pretoria, 25 October 1920.

pressed forward against the policemen guarding the entrance to the Police Station.

As the deadline for Masabalala's release drew nearer, it would appear that the demonstrators became increasingly hostile towards the police. They made it clear that it was their intention to effect the release of Masabalala, with or without the co-operation of the authorities. The crowd became more voluble in giving vent to their feelings. According to Constable Anderson, the following was chanted at some stage:

"You can shoot us if you like. We can only die once, but we are going to have Masabalala." [75]

These words, if they were indeed used, would appear to be a reiteration of Masabalala's own words at the Korsten speech where he had called for strike action [see p. 93]. As such, they suggest these followers identified with Masabalala, whom they wanted to see released, whatever the cost to themselves. A further effort by Halse and Stidolph to appeal to the crowd to desist from forcing a confrontation with the police, was apparently shouted down. Sidzumo, who acted as interpreter for the Acting Magistrate, said of the demonstrators:

"They were violent and wanted to release Masabalala and... they would have made a determined effort to get into the Police Station. That was undoubtedly their intention." [76]

In describing the demonstrators, Constable W H Anderson reckoned that the first four or five rows in front of the entrance to the Police Station consisted of Union members and 'some of the worst characters in town', such as criminals and loafers. [77] It is questionable whether he would have been able to identify those in the crowd with such certainty, but the implication was obvious: they were 'troublemakers'. Police testimony also made much of the fact that many of the hostile members of the crowd appeared to be under the influence of drink. Anderson, for instance, testified that many of

[75] Inquest, p. 5; PEA 30 October 1920.

[76] Inquest, p. 30 cited in An. 582 - 1921, p. 14.

[77] Commission, pp. 208-9.

those in front of the crowd were 'stupefied with methylated spirits'.<sup>[78]</sup> Although the drunken behaviour of some of the crowd can be corroborated by other evidence, it was clearly the intention of the police to discredit the Union through guilt by association.

Sub-Inspector Hart, who was in charge of the twenty-two policemen stationed on the steps to the Police Station, described how mock fights were staged as a ruse to get them to leave their posts.<sup>[79]</sup>

The policemen were also the target for stones and other objects hurled by the crowd. It was clear that these 'weapons' had been brought by the assailants to the scene, because all the roads in the vicinity of the Police Station were tarred. Sticks were brandished, and Hart and his men had to parry blows with their rifle butts aimed at them by persons in the front of the crowd wielding sticks.<sup>[80]</sup>

Sergeants Orchison and Brown, who shared the bottom step with Hart, insisted that they sustained bruises, and their rifles had numerous dents, as a result of blows aimed at them.<sup>[81]</sup> At least one man evidently sustained an injury, by thrusting himself or being pushed against, the bayonets of the police rifles. According to Sergeant W Veitch Grant, one Cornelius Botha, had a wound which might have been caused by a bayonet, but this was not confirmed by the post-mortem.<sup>[82]</sup>

The policemen immediately in front of the crowd, had not loaded their weapons, despite the fact that their lives would have been most immediately endangered if a concerted attack had been made on the Police Station. Neither did Hart feel sufficiently threatened to have been compelled to use his weapon. He did testify to having drawn his (loaded) revolver from his holster on occasion, but stated that this act was in itself sufficient to force the crowd back.<sup>[83]</sup> Nevertheless, he insisted that there was a very real danger 'of the mob forcing an entrance and releasing Masabalala' for, on more than one occasion, he and his men had to retreat up the steps on account of the pressure exerted by the crowd.<sup>[84]</sup>

[78] Commission, p. 211.

[79] Inquest pp. 18-19.

[80] Ans. 143 - 1921, p. 4 (para. 25).

[81] An. 582 - 1921, p. 13.

[82] Commission, p. 217. Post mortem found in the files of the Justice Department (See CeA, JUS 276 2/950/19).

[83] Inquest, p. 20.

[84] An. 582 - 1921, p. 17.

At about 5.30 p.m., an attempt was made to disperse the crowd. Four mounted policemen, who had taken up a position to the south of the Station, opposite the EP Herald building, charged into the crowd, forcing those in their paths to flee in a northerly direction towards the Square [see Figure 6]. One of the horsemen was pulled off his mount, and the riderless mount knocked another down. A third policeman became unseated when his horse virtually collided with a tram. While scrambling to their feet, the policemen were set upon by part of the crowd, and one of their number fired a shot into the air to frighten off their would-be assailants.<sup>[85]</sup> A Mr T Coleman testified to having witnessed a Sergeant (later identified as Hooper) fall from his horse, hearing two shots, and then being struck by a ricochet from a bullet and knocked unconscious. At the time he was standing in the Market Square, opposite Cleghorns Corner, and some 25 metres from the incident.<sup>[86]</sup> Confirmation of this account came by way of a newspaper report, in which an 'unidentified well-known townsman', also claimed to have heard two shots fired.<sup>[87]</sup> Upon being confronted with this evidence, Hooper replied that it was impossible that he had hit anybody, for no shot had been accidentally discharged. He had only fired a single shot 'practically perpendicular' into the air when he was standing on his feet, and not while he was on the ground.<sup>[88]</sup> The firing of this shot was the first hint of the tragedy to come.

The failure to disperse the crowd only served to incite its further hostility. Whilst the portion of the crowd, in front of the Station, had moved away momentarily in the face of the mounted charge, a number of whites filed up the steps to the entrance of the Station and offered their services to the police. Thirty volunteers were issued with rifles and allowed to help themselves to ammunition.

[85] Inquest, pp. 6-7. Statement by Sergeant F W Hooper.

[86] Commission, pp. 127-8.

[87] PEA 27 October 1920. I have been unable to confirm the source or authenticity of this statement which does not appear to have been repeated before the Inquest or the Commission of Enquiry.

[88] Commission, p. 214.

# STREET PLAN OF AREA SURROUNDING BAAKENS STREET POLICE STATION

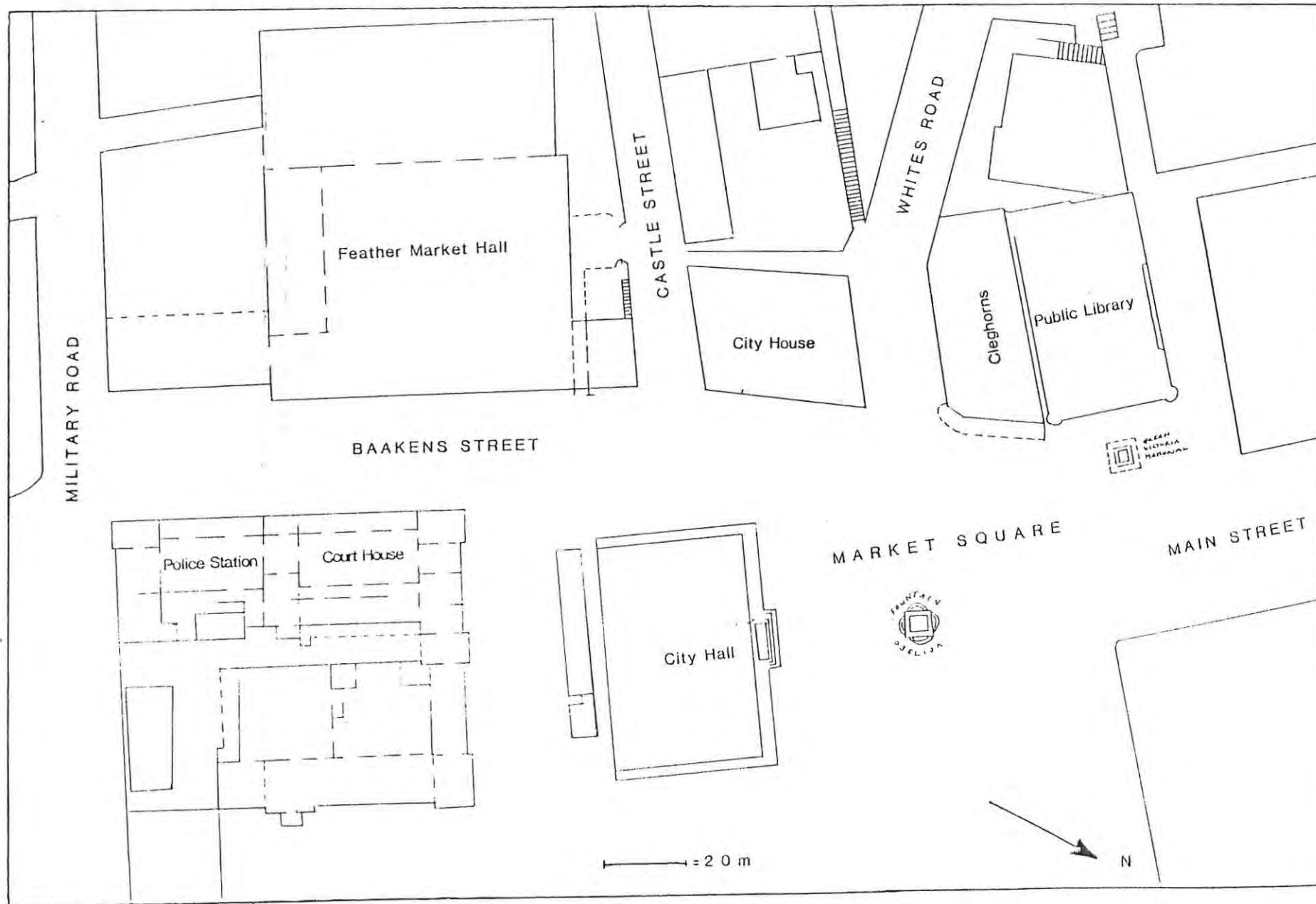


Figure 6

Aside from the 23 policemen who had been on duty, and had their own weapons, ten rifles had already been issued to Railway Police who had been called upon as reinforcements.<sup>[88]</sup> Captain Halse claimed to have issued instructions to some of the volunteers 'not to shoot until ordered to do so'.<sup>[89]</sup> In spite of this claim, no one was placed in charge of the men, so that it could never be certain who would issue orders should the need have arisen. Most of the volunteers took up positions on the balcony of the Police Station, overlooking the crowd.

It was from the balcony that a second attempt was made to disperse the crowd. From this vantage point a fire hose was turned on the crowd, which had the effect of temporarily stampeding those in front of the steps. This effort assumed comic proportions when the nozzle of the hose fell off, and the jet of water lost all its force. The result was that, a somewhat drenched and incensed crowd, resumed their demonstrations.<sup>[90]</sup> (The question of why Halse had not considered obtaining the services of the fire brigade, in assisting to disperse the crowd, was raised by the Commissioners. It was presumed that fire hoses would have been more effectual than the police had been in dispersing the crowd. As it turned out, the fire brigade would have been unable to have been of any assistance as it was fighting a fire off Cape Road at the time.<sup>[91]</sup>) Testimony was given to the effect that the Police issued a warning to the crowd to disperse for they intended to fire, while the hose was trained on the crowd. However, the testimony of Lewis, Treasurer of the PEICWU, on this point was shown to be suspect. He stated that the warning was given in Dutch, which he professed to understand. Not only was Lewis unable to repeat the expression used, but it is unlikely that the

[88] An. 656 - 1921, p. 3. Halse cited different figures in a letter to the Deputy Commissioner, SAP, Grahamstown, 4 November 1920 (See CeA, JUS 275 2/950/19). He stated that 35 rifles had been issued as follows: 10 to policemen whose weapons were at home, 10 to Railway Police, and 15 to ex-servicemen volunteers.

[89] Inquest, p. 39.

[90] Inquest, p. 19. Statement by Hart.

[91] Ans. 143 - 1921, p. 5 (para. 29); An. 582 - 1921, p. 12.

predominantly English-speaking police force would have used Dutch.<sup>[92]</sup> While there is no reason to doubt that appeals were made from time to time for the crowd to disperse, no formal<sup>[93]</sup> warning was issued that shots would be fired if it did not comply.

### The Shootings

Shortly after 5.45 p.m., firing commenced. A reporter described the scene as follows:

"for an awful two minutes... the rifles spat death into the massed ranks of the assailants who soon intermingled with hundreds of spectators... men and women fell right and left, dead and dying."<sup>[94]</sup>

An attempt will now be made to explain what precipitated the firing and to reconstruct what happened in 'the two awful minutes' described above. The picture that emerges of the incident is confounded by the many inconsistencies and contradictions in the evidence. This was exactly the problem faced by the Commission of Enquiry. However, an attempt will be consciously made to avoid presuming a knowledge of its findings and rely on the evidence, instead.

The firing had erupted, although no orders had been given to those in the Police Station to fire, or make preparations to do so. The fact that Halse had not yet resorted to firing on the crowd, would suggest that the station was not in imminent danger of being overrun. Halse testified, however, that it would not have been long, before it would have been necessary to give such an order:

"I was on the point of giving an order to fire a volley into them [the crowd] but decided before doing that to try every other expedient."<sup>[95]</sup>

It would appear that this statement was a belated attempt to justify the police response to a crisis in which Halse had lost control of the situation altogether. In any event, he gave no indication of further measures he might have had in mind to disperse the crowd.

[92] Commission p. 269.

[93] Commission, p. 177; Ans. 143 - 1921, p. 5 (paras. 31 and 32); An. 582 - 1921, p.13.

[94] The Star, 25 October 1920 cited in Bloch, 'The Cost of Living', p. 41.

[95] Inquest, p. 38; An. 582 - 1921, p. 16.

If orders had not been given by any police officer to fire, it became important to show that the police acted not only under extreme provocation, but in self-defence, in firing on the crowd. It was, no doubt, with this in mind that Grahamstown's Deputy Commissioner of Police, cabled his superior in Pretoria the day after the shootings that

"Evidence has just been found which shows that rioters were first to fire on Saturday and that Constable Grant was bullet wounded [sic] before Police retaliated." [96]

Two days later, the EP Herald in an editorial entitled "The First Shot", repeated police claims that the first shot had come from the crowd. This was a new angle because the newspaper's first coverage of the shootings, in its edition of Monday 25 October 1920, made no mention of why the police had fired on the crowd. In the article in question, it was claimed that, "we are now in a position to make the positive assertion, that the first shot was fired from revolvers by natives facing the Police Station, immediately prior to the commencement of the rifle firing". It continued by arguing that "it was not necessary to justify the authorities in what followed, but we are glad that it has been secured because it places the matter beyond all question". [97]

However, the attempts to clear the police also produced certain inconsistencies in the evidence, which were not satisfactorily explained. For instance, a report appeared in the EP Herald which read as follows:

"The native who used the revolver in the crowd... was shot dead. He was seen by a constable to be firing, and the officer brought him down with deliberate aim." [98]

While much evidence was given before the Inquest, and the Commission, to the effect that a 'native' had fired the first shot, no policeman testified to having acted in the way described by the newspaper.

[96] CeA, JUS 275 2/950/19, Telegram from Deputy Commissioner, SAP, Port Elizabeth to the Commissioner, SAP, Pretoria, 24 October 1920.

[97] EPH 26 October 1920.

[98] EPH 27 October 1920.

Amongst the policemen, only Constables P C Grant and C J Bower, testified to having seen a specific person firing the shot, and neither of them admitted having attempted to shoot the person in question. The only admission made to the Commission, which in any way corresponded with the newspaper's assertion, was not by a police officer, but a certain civilian volunteer, Marcus Erasmus. He had been positioned on the steps, and had fired two shots above the heads of the crowd after seeing a 'native' fire at the Station.<sup>[99]</sup> There can be little doubt the 'cut and dried' findings of the local press, were designed to show the actions of the police and vigilantes in the best possible light. The Black Man, citing comments by the EP Herald, Cape Times and Cape Argus, asserted that the press had attempted to justify the "brutal conduct of the ex-soldiers".<sup>[100]</sup> Although collusion with the authorities cannot be proven, the Government-supporting press defended the police in their capacity as upholders of law and order and, in a sense, were party to a cover-up.

The conflicting testimony of witnesses provided little, if any, clarification as to the origin of the first shot(s). At least six witnesses claimed to have seen or heard a shot being fired before the volley erupted. Other civilian spectators saw armed 'natives' in the crowd, but did not actually see the shot(s) being fired. Nor could they say from where the shots had come - they simply deduced that it had been from the crowd. Constable Grant claimed to have seen four or five armed persons in the crowd discharge a total of nine shots, and to have seen all of them fire before the police retaliated.<sup>[101]</sup> Elsewhere, he stated that three or four shots were fired before the police returned the fire.<sup>[102]</sup> Equally significant, were the admissions by Hart and Sergeant Orchison, who had been closest to the crowd, that they had not noticed anyone in the crowd armed with a revolver nor heard any shot fired from the crowd.<sup>[103]</sup>

[99] Commission, p. 191; Ans. 143 - 1921, p. 6 (para. 38).

[100] The Black Man November 1920.

[101] Ans. 143 - 1921, p. 6 (para. 40).

[102] Commission, p. 220.

[103] Commission, p. 181; Ans. 143 - 1921, p. 8 (para. 58).

If a number of the crowd had been armed, it seems probable to deduce that at least one such individual would have been shot and dropped a weapon. One person to attest to this was a civilian, John Forbes, who testified at the Inquest to having seen a 'native' (whom he identified as a certain Gilding) strike at Sub-Inspector Hart with a stick, step back into the mob and fire a shot.<sup>[104]</sup> He gave similar testimony to the Commission, and claimed to have seen the revolver lying on the ground close to the body of Gilding, after the crowd in front of the Police Station, had dispersed. When asked to explain what had become of the revolver, he stated that he did not know, but supposed that someone had picked it up.<sup>[105]</sup> This echoed a suggestion of the EP Herald of 27 October 1920 that the revolver, of the 'native' who had fired shots at the police and was himself shot, "was retrieved by other members of the crowd and carried off". However, it seems implausible that people fleeing for their lives in the face of a heavy salvo of rifle fire would think to retrieve fallen firearms. If, on the other hand, the street was already clear when Forbes spotted the revolver, it means that the only other possibility was that the Police removed the revolver. However, Hart, who had been first on the scene after the shooting, testified that he had not seen any revolvers lying on the street in front of the Police Station when the firing ceased.<sup>[106]</sup>

A glaring omission in the Police case that the firing had commenced from the crowd, was the failure to produce a weapon as an exhibit. While an array of objects, including sticks, stones, knives, were exhibited before the Inquest and Commission of Enquiry to show that members of the crowd had been armed, no firearms were produced. Detective Constable W H Anderson testified to having collected the exhibits immediately after the shootings, and having placed them in his office, from where they were removed to a strong room for safekeeping. Constable W V Grant testified to having searched the bodies of sixteen victims of the shootings, and to having found

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 [104] PEA 20 October 1920.  
 [105] Commission, p. 235.  
 [106] Commission, p. 180.

pen-knives in the pockets of three or four of the deceased. From this, he suggested, it could be deduced that the men in question had intended to inflict bodily harm on the policemen guarding the Station.<sup>[107]</sup> Other evidence was proffered to show that it was possible that the 'natives' might have been armed, despite legislation which prohibited it. For instance, Grattan testified that 'large quantities of arms' had been stolen from dealers and shopkeepers in town during the eighteen months preceding the shootings. He also stated that 100 lbs of gunpowder had been stolen from the New Brighton magazines, which had been broken into on three separate occasions over the same period. However, there was nothing to link these incidents with the shootings. Moreover, he admitted that in his many years in office as Superintendent of the Location, he had rarely come across firearms. The only grounds for his claim that a number of residents were in possession of arms, was that shots had allegedly been fired in New Brighton during the night of the shootings.<sup>[108]</sup> However, all the circumstantial evidence produced by the police did not prove beyond all doubt that persons in the crowd had been armed, nor that the first shots had originated from that source.

A wound incurred by Constable W S M Grant, constituted a major piece of evidence in the police case that firing had come from the crowd. He testified at the Inquest to having been shot in the left forearm, before the police fired, and that "his injury was caused by a Native standing in front whom he saw fire".<sup>[109]</sup> He appeared before the Inquest, in the tunic he had been wearing at the time of the shootings, with his arm bandaged, and claimed that three fingers had been rendered useless from the wound he had incurred.<sup>[110]</sup> Upon examination of Grant's tunic, the Commissioners deduced that it showed "the mark of a clean cut and not the mark of a revolver

[107] PEA 30 October 1920.

[108] Commission, p. 101. See below p. 125.

[109] EPH 29 October 1920; PEA 30 October 1920.

[110] Inquest, p. 9.

bullet".<sup>[111]</sup> Moreover, the nature of his injuries appeared inconsistent with what he told the Commission of Enquiry:

"I was hit in the arm. There was a small bullet in the arm... I found it was a little piece of lead. It may have been a splinter... It was covered with blood and I threw it away. It was not a splinter but a piece from a bullet... I did not feel it when I was shot in the arm."<sup>[112]</sup>

Not only was it highly unlikely that he would have failed to notice having been shot, but doubts were also raised as to whether a shot had been fired at Grant before the police had started to shoot. Under cross-examination before the Commission of Enquiry, Constable C F Heynes, who had been stationed two steps higher than Grant, stated that he had not seen Grant hit, and that he had only made the claim after the crowd had dispersed.<sup>[113]</sup> Moreover, Grant's statement, that he threw away the object which struck him without realizing its importance as evidence, must be considered a dubious claim coming from a policeman. In his evidence to the Inquest, District Surgeon, Dr Hobart Kay, stated that he had attended Grant for a superficial wound in the left forearm, but that the Constable had removed the offending object before the witness had seen him. Kay concurred when the Magistrate suggested that a revolver bullet fired from 25 yards - let alone the 10 yards which Grant claimed - should have penetrated the arm, but added that it depended on the calibre of the revolver and the amount of powder behind the bullet. However, the District Surgeon did state that he had suggested to Grant that his wound had been caused by a ricochet, but that this had been rejected by the policeman.<sup>[114]</sup> Grant, however, conceded this possibility when confronted with the evidence gathered by the Commissioners during their on site inspection of the Police Station.<sup>[115]</sup> Thus, the inconsistencies in his testimony raised reasonable doubts about

[111] Ans. 143 - 1921, p. 6 (para. 40). Hart disagreed with the Commission and in his opinion the cut was "clearly made by a bullet" (An. 582 - 1921, p. 18). Halse, who examined the wound in Grant's arm but not the tunic, supported him (An. 582 - 1921, p. 14).

[112] Commission, p. 220. Cf. Ans. 143 - 1921, p. 6 (para. 40).

[113] Ans. 143 - 1921, p. 6 (para. 41).

[114] Inquest, p. 28.

[115] Ans. 143 - 1921, p. 6 (para. 40).

Grant's reliability as a witness. This is significant because it raised a question mark over the credibility of the one witness who might have provided incontestable evidence that shots had been fired at the police.

Aside from Grant's wound, the only other physical evidence that shots had been fired from the crowd were holes in the windows of the Police Station. Hart, who examined the scene after the shootings, stated that there were three bullet holes in the windows of the parapet wall, which was about ten feet in front of the main wall of the Police Station, and another in the library window, which was to the left of the entrance. He came to the conclusion that "three shots were fired from the outside because the edges of glass were chipped away inside and broken pieces of glass were found on the inside".<sup>[116]</sup> The Commissioners observed that two of the holes in the parapet window, had no corresponding bullet marks on the main wall behind the parapet. Furthermore, the angle between the hole in the parapet window, and the corresponding mark on the main wall, in the case of the third bullet, made it highly improbable that the shot was fired from the crowd, or aimed at the police on the steps.<sup>[117]</sup>

Halse, like Hart, submitted that the glass was splintered on the inside of the parapet wall in the case of the first two holes, and that the Commissioners' deductions were incorrect in the case of the third bullet, which was obviously fired from the crowd.<sup>[118]</sup>

There was as much confusion as to the origin of the general firing, as there was to the origin of the first shot. The men stationed on the steps generally reckoned that the firing had commenced from the balcony, while those on the balcony claimed to have opened fire after hearing shots from below. Captain Halse, for instance, stated categorically that the firing had started from the steps and not the balcony.<sup>[119]</sup> Irrespective of where it had originated, and given the 'terrific noise created by the demonstrators', he contended that it

[116] Inquest, p. 20.

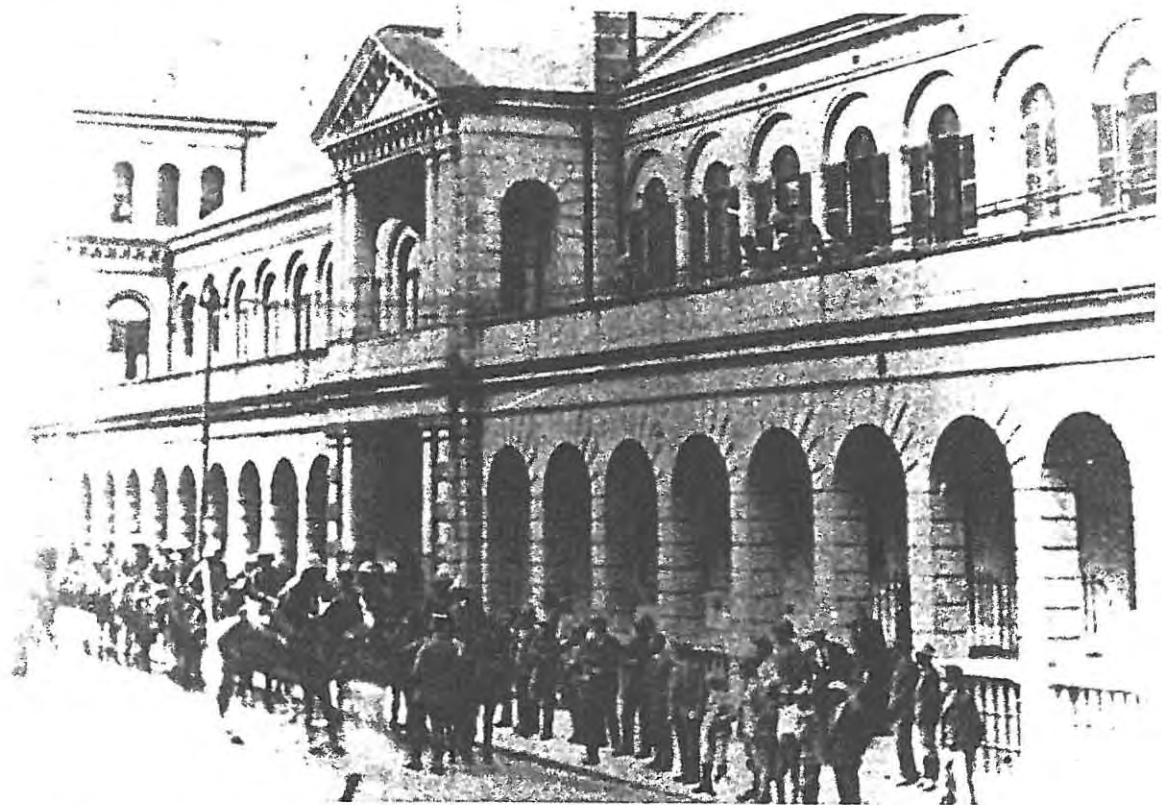
[117] Ans. 143 - 1921, p. 7 (paras. 45-47).

[118] An. 582 - 1921, p. 14.

[119] Ans. 143 - 1921, p. 5 (para. 32).



3. The Shootings: A Section of the Crowd in Flight (SAP Museum Archives).



4. Mounted Patrol outside the Baakens Street Police Station (SAP Museum).

was natural for the men to assume that an order to fire had been given, and opened fire themselves when they heard shooting.<sup>[120]</sup> A civilian volunteer, C W Morgan, who was stationed on the balcony asserted that those on the balcony took up the firing after it had commenced from below.<sup>[121]</sup> On the other hand, Constable Heynes, amongst others, stated that the first shot was fired from the balcony.<sup>[122]</sup> There was no doubt, however, that those stationed on the steps had ceased firing before those on the balcony. Hart had turned round and raised his arms to signal to those men stationed on the steps to hold their fire. This was heeded almost immediately, but his shouts to those on the balcony were not heard.<sup>[123]</sup> It was not before Halse had raced up the steps, inside the Station, to the balcony in order to convey the order to the men stationed there, that the firing ceased altogether.<sup>[124]</sup>

Estimates of the duration of the firing varied from between thirty seconds and three minutes. The Police, obviously, wished to minimise the time involved. Halse was unable to establish how many rounds had been fired in all,<sup>[125]</sup> but Hart reckoned that at least 54 had been shot by the men under his charge on the steps.<sup>[126]</sup> One witness admitted having fired as many as thirteen rounds which, by my calculations, would not have taken anyone familiar with the Lee Enfield rifle more than two minutes to have discharged. Such was the intensity of the firing that witnesses, not in the direct line of fire, but within a few hundred metres of the Station, assumed that a machine gun had been used.<sup>[127]</sup> Although there was no consensus as to how long the firing had lasted, all participants and witnesses agreed that it had been a heavy fusillade.

[120] An. 582 - 1921, p. 13.

[121] Ans. 143 - 1921, p. 6 (para. 44).

[122] Ans. 143 - 1921, p. 6 (para. 41).

[123] Inquest, p. 20.

[124] An. 582 - 1921, p. 13.

[125] Inquest, p. 41.

[126] Inquest, p. 21.

[127] PEA 27 October 1920; Interview with Mr Reg Griffiths, Grahamstown, 21 March 1986. Although a child at the time, he had a vivid recollection of the intensity of the firing and was surprised to learn that it was only rifle fire.

When the firing ceased, bodies were scattered far and wide. Only two bodies were said to have been found directly in front of the steps. [128] Others were scattered as far as Castle Street Corner, [129] which was 100 metres from the Police Station [see Figure 6]. While certain casualties may have crawled a considerable distance from the spot where they were shot, some were quite clearly shot while attempting to take cover. For instance, R A Pettit was shot in the backside near Cleghorns Corner, which was at least 200 metres from the Station, and nearly 180 degrees to the line of fire. [130] It is improbable that people such as Pettit, who were injured or killed some distance from the Station, would have been hit by stray bullets or ricochets if the firing had only been directed at those in front of the Station. Further evidence of the indiscriminate firing of those on the balcony, was borne out by the fact that shots were fired directly at people who had been observing the scene from the windows of the first floor of the Feather Market Hall, which is directly opposite the Police Station. A white man, and an African standing behind him, were numbered amongst the dead, and another observer claimed that a shot had narrowly missed him. [131] Under cross-examination, Sub-Inspector Hart conceded that the shots fired through the Market Building windows "appeared to be direct shots", and that they did not look like ricochets because "the holes in the windows were clean holes". [132] The weight of evidence pointed to unrestrained firing, especially on the part of the vigilantes on the balcony, who fired in a northerly direction down Baakens Street, across Market Square, towards Main Street [see Figure 6]. The fact

[128] Ans. 143-1921, p. 5 (para. 30). This was disputed by Halse, see An. 582-1921, p. 13.

[129] An. 113-1921, p. 5 (para. 30).

[130] Communication from Mr R A Pettit (son of the injured man).

[131] The last-mentioned was S H Kemp, the Sanitary Officer, who had watched the proceedings from his first floor office in the Market Buildings. Strangely his narrow escape was not mentioned in his evidence given to the Schweizer Commission but in an article published much later. He believed that a shot had been aimed at him in the (mistaken) belief that the watch he was wearing on his left wrist was a revolver. See Illustrated Bulletin, May 1946, p. 22.

[132] Commission, p. 180.

that many of the vigilantes were ex-servicemen, and veterans of the First World War, would seem to suggest they might have been 'trigger happy'.<sup>[133]</sup> While firing into a crowd, is likely to produce high casualty figures, it is not inconceivable that certain of the vigilantes deliberately picked off targets as persons in the crowd fled in fear of their lives. Whilst panic on the part of those guarding the entrance to the Station might have been understandable, those manning the balcony were not in danger and indulged in cold-blooded killing.

The number of casualties also attested to the unnecessary and indiscriminate firing which took place. The first tally published in the EP Herald, 26 October 1920, estimated that the shootings had left 23 dead and 126 wounded. The local newspapers subsequently published lists of names which totalled 24 dead and 39 admitted to hospital for treatment for injuries sustained in the firing.<sup>[134]</sup> An official list, found with records of the post-mortems of the victims in the files of the Department of Justice, listed 17 people certified dead at the Police Station and 9 at the hospital.<sup>[135]</sup> However, these statistics did not include those treated for minor wounds at the hospital and discharged immediately, nor those who were attended to by private doctors, let alone those who received no professional treatment at all. A figure of 153 blacks wounded was mentioned during the course of the Commission's inquiries,<sup>[136]</sup> but a figure of only 76 casualties seems to have been confirmed.<sup>[137]</sup> The only white killed in the actual shooting, was the abovementioned John Paton, who had been an observer from the first floor of the Market Buildings.

[133] The Black Man (November 1920) stated that many of the vigilantes belonged to the Comrades of the Great War Association. Other contemporary sources also make reference to 'returned soldiers'. Cf. Walker, A History of Southern Africa, p. 243.

[134] EPH 30 October 1920; PEA 27 October 1920.

[135] CeA, JUS 276 2/950/19. This list includes one assault victim (Miss van Rensburg) and another victim of a later shooting (Freddie Kievits). See Appendix C.

[136] Commission, p. 212.

[137] Ans. 143 - 1921, p. 13 (para. 30). The Black Man (November 1920) cites a figure of 81 wounded.

Another ten white males were admitted to hospital and a further ten were estimated to have been treated for wounds. All the other victims of the shootings were 'Coloureds' and Africans.

The assault on a bystander, a Miss Louisa van Rensburg, was also cited as evidence of the violent intentions of the blacks, who gathered outside the Police Station to demand the release of Masabalala. The fact that the assault occurred after, and not before, the shootings clearly indicates that such a proposition was illogical. It was more than likely an act of vengeance by a man in the throes of death, for the assailant had been mortally wounded in the shootings. Nonetheless, the authorities and media blew the incident out of all proportion in their attempts to transfer the blame for the shootings from the police to the 'hostile natives'. The fact that a young white woman, who was an innocent bystander, was assaulted, made it appear a more heinous crime in the eyes of the public than the indiscriminate shooting of the crowd by the police and vigilantes.<sup>[138]</sup>

The tragic shootings of the afternoon of 23 October provoked a serious crisis, but the authorities were of the opinion that firm and decisive police action had averted an even greater catastrophe. One of the first to justify police action was Ludorf, the Inspector of Labour, who stated that

"One fact has impressed itself indelibly upon my mind and that is unless prompt action had been taken Port Elizabeth would have been in the throes of something too awful to contemplate... in my considered opinion the prompt action taken in firing is fully justified and quelled a very serious native revolt against constituted authority".<sup>[139]</sup>

[138] Extensive coverage was given to the incident in the local press. See, for example, EPH 25 October 1920.

[139] CeA, JUS 2/950/19, Letter from Inspector of Labour, Port Elizabeth to Superintendent and Chief Inspector of Labour, Pretoria, 25 October 1920.

The Mayor, W F Savage, later expressed the 'sincere thanks of the City' to Captain Halse for 'the firm and decided steps' which "prevented the riot from spreading and preserved the peace of the City".<sup>[140]</sup> This view was echoed in a statement issued by the PECOC, which also recorded its "appreciation of the steps taken by the Police to afford protection to life and property".<sup>[141]</sup> The police, while arguing that the shootings had not been a premeditated act on their part, saw the outcome as the lesser of two evils. Anderson, for instance, expressed the opinion that

"had the natives...gained any upper hand at all, the whole of Port Elizabeth would have been wrecked. Hundreds of natives were flocking into town to attack the Government Office."<sup>[142]</sup>

Sergeant Orchison portrayed the likely repercussions in even more graphic terms:

"I am of the opinion that the release of Masabalala would not have satisfied the mob, their intentions were to kill all the Police and obtain possession of all the arms and ammunition. If they had been successful they would have looted the liquor bars and the inhabitants of Port Elizabeth would have suffered a night of rapine and murder which South Africa up to the present has not known."<sup>[143]</sup>

Such exaggerated claims in times of unrest have been commonplace in South Africa, and say more about the nature of white fears than black intentions. The fact remains that the above statements were later justifications for police actions, and must be treated with caution. Whether such fears were justified or not remains to be seen.

[140] CAD, 3/PEZ 3/1/1/1/139, p. 172.

[141] PEA 10 November 1920.

[142] Commission, p. 211.

[143] CeA, 276 2/950/19, Statement by W Orchison, 6 April 1921: An. 582 - 1921, p. 22.

The Aftermath of the Shootings

Word of the shootings and rumours of retribution, spread panic and fear amongst Port Elizabeth's white population as a 'black peril' scare of some magnitude took hold. The tense situation was fuelled by stories - suddenly recounted - that blacks had threatened the lives of their white employers. Men took steps to arm themselves, while the women and children took refuge indoors. The police force in the Port Elizabeth Magisterial District, which consisted of 135 men of all ranks (excluding the Native Constables employed in the New Brighton Location under the control of the Native Affairs Department), was considered inadequate for the task at hand and reinforcements were called for. [144] Meanwhile, numerous ex-servicemen and members of Rifle Associations offered their services in order to augment the police force. All in all, about 80 armed civilians formed three sections under E B Walton, A J P Wares and H B Cumming, [145] which patrolled the vicinities of New Brighton, the Hospital, and Sydenham, respectively. It was considered necessary to concentrate the patrols in the areas bordering New Brighton and Korsten, from where it was thought an attack on the white suburbs was most likely to come. Within twenty-four hours, Lieutenant-Colonel du Toit, Deputy Commissioner of Police, had assumed charge of the operations in the city, [146] and the local force was strengthened by reinforcements from Grahamstown, East London and Middelburg. In addition, the Minister of Justice authorised the swearing in of 500 volunteers, as special constables, for one week without pay, in the Cape Eastern Command. [147] Despite frequent claims in the local press, and by the City Council and the

[144] CeA, JUS 275 2/950/19, Telegram from Deputy Commissioner, SAP, Grahamstown to Commissioner, Pretoria, 23 October 1920.

[145] All three carried the civilian force rank of Lieutenant-Colonel and served with the Prince Alfred Guard. The first mentioned was the son of the the Unionist MLA for PE Central, Sir Edgar Walton. Wares was a City Councillor and was to become Mayor (1921-3), MPC (1927-9) and MLA from 1929 until his death in 1944. Cumming was probably a retired career soldier who had subsequently established a firm in PE.

[146] EPH 26 October 1920.

[147] CeA, JUS 275 2/950/19, Telegram from Commissioner of Police, Pretoria to Deputy Commissioner, PE, 23 October 1920 and Letter from Commissioner of Police to Secretary for Justice, Pretoria, 28 October 1920.



5 & 6. Mounted Police Patrols on Duty During the Weekend of 23 October 1920  
(SAP Museum Archives, Pretoria).

PECOC - especially after the disturbances - that the police force was understaffed, the Acting Magistrate, J A St Arnaud, maintained in his annual report for 1920 that, "the present force was deemed adequate for normal requirements".<sup>[148]</sup>

During the course of the night of 23 October, a number of incidents seemed to confirm that white fears of attack were not groundless. In one incident, a police patrol vehicle confronted a group of blacks, who they believed, intended to sabotage the North End power station. According to Sergeant Orchison, who was in charge of the patrol, the group turned on the patrol vehicle when it was sighted. After failing to heed warnings to disperse, the group was fired upon, with the result that one person was killed and a number were injured. In his assessment of the situation, Orchison stated it was his opinion that

"the arrival of the Police was the means of saving a large number of Europeans residing at this position of the City towards Korsten and New Brighton Location from being assaulted or murdered by natives."<sup>[149]</sup>

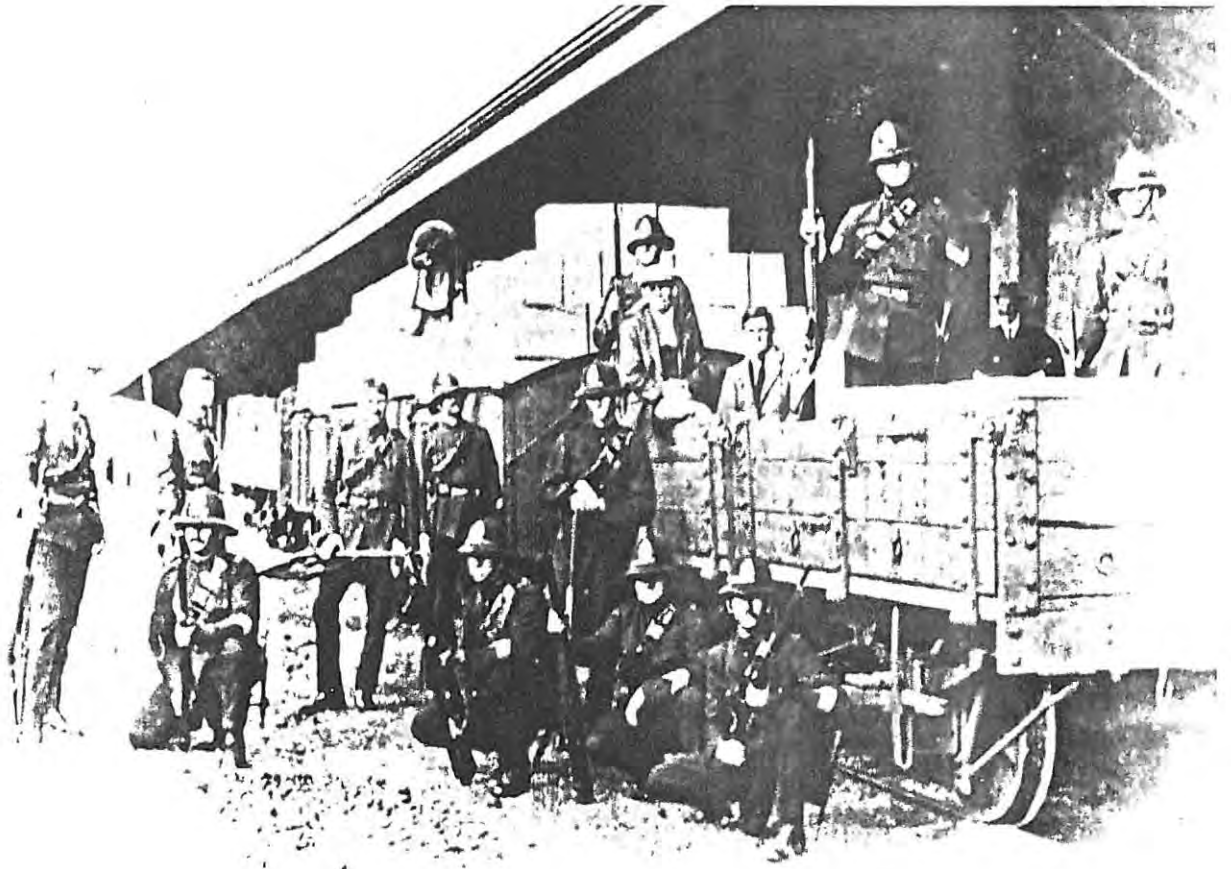
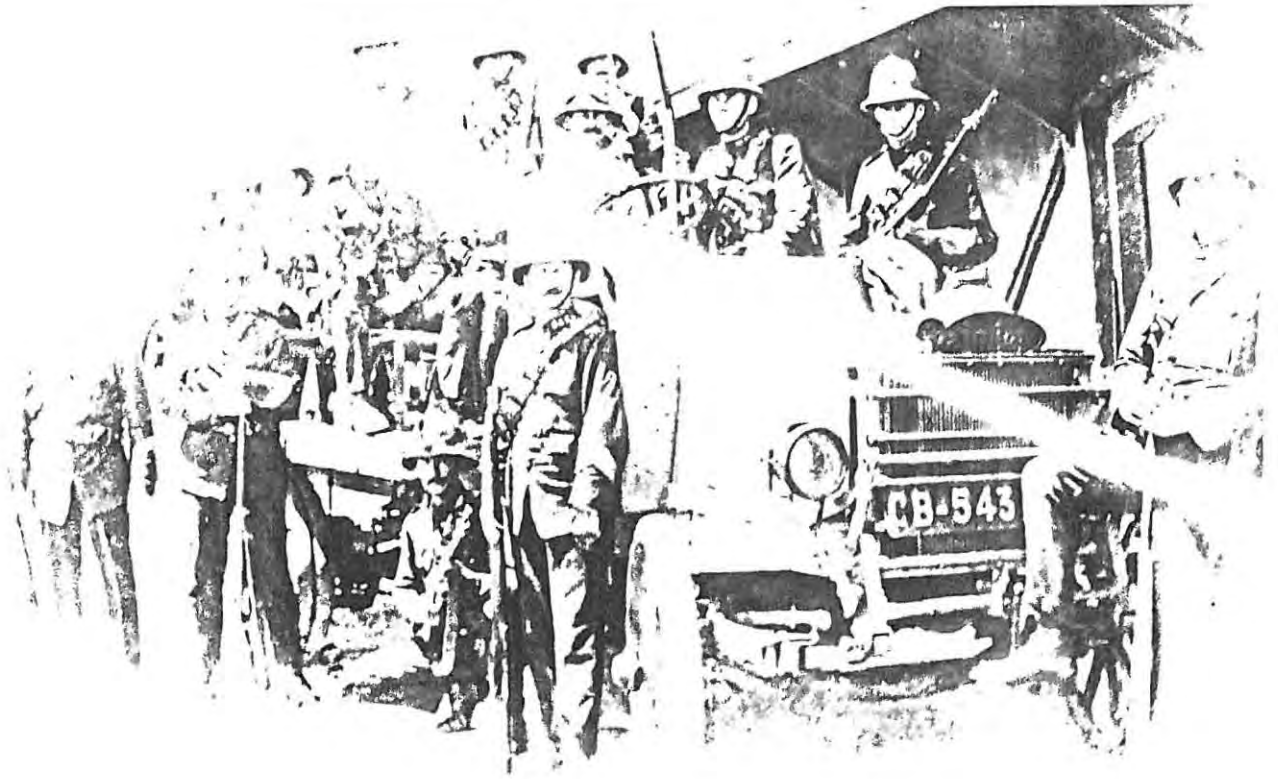
In another incident, the timely intervention by a patrol prevented an attempt at arson. A group of blacks, apparently attempting to set fire to the Mitchell Cotts petrol storage depot, was fired upon and, consequently, fled the scene before serious damage could be done. A third incident involved the cutting of the telephone wires between New Brighton and the town, suggested to certain of the authorities, that the attacks on strategically important 'nerve centres' of the city were part of a co-ordinated strategy to plunge the city into darkness, and launch an attack on the white suburbs by night. Grattan, for instance, contended that:

"if any successful destruction had taken place, it would show successful organisation. I say it would not have been done on the spur of the moment. I do not think that natives on the spur of the moment would have thought of these three important things." [viz. cutting the telephone lines, sabotaging the Power Station and destroying the petrol depot].<sup>[150]</sup>

[148] CeA, JUS 285 1/543/20, Report submitted to the Secretary for Justice, 31 January 1921.

[149] CeA, JUS 276 2/950/19, Statement by W Orchison, 6 April 1921; An. 582 - 1921, p. 21.

[150] Commission, p. 100.



7 & 8. Vehicle Patrols on Duty During the Weekend of 23 October 1920  
(SAP Museum Archives) .

Captain Halse endorsed this negative assessment of the intelligence of Port Elizabeth's black population and the situation which had prevailed on the night in question:

"I submit that not even intelligent Europeans, unless they have had military experience, would have thought, on the spur of the moment, of depriving their opponents of things so necessary to them in the circumstances as the means of getting about quickly, communication and light. I am therefore strongly of the opinion that some sort of plan had been decided upon to meet what they anticipated might happen." [151]

But it is equally feasible that these isolated acts of attempted sabotage were merely to avenge the deaths of those who had been shot.

Within the Location itself, the angry reaction of the blacks who had witnessed the shootings, was directed against Grattan. He described how shots were fired as a crowd, of about four to five hundred, had gathered outside his office after dark. Spokesmen in the crowd purportedly demanded of the Location police that they hand over the Inspector, because they wanted to avenge the deaths of their people at the hands of whites:

"We have no grievance against you Police. You are men of our own colour; and we do not wish to injure you. Hand us over Grattan and that is all we want. White officials have killed our people and we want to kill a white official." [152]

Grattan managed to slip away from the crowd, with the help of his Clerk and a Native Constable. He later claimed, before the Commission of Enquiry, that shots had been fired at him, but this version of the events did not tally with a previous account. [153] He also asserted that it was 'strangers' that had been intent on harming him, looting shops, and so on, but that they had been prevented from doing so by

[151] CeA, JUS 276 2/950/19, Letter from District Commandant, SAP, Port Elizabeth to the Deputy Commissioner, SAP, Grahamstown, 6 April 1921; An. 582 - 1921, p. 15.

[152] CeA, NTS 7657 37332, Letter from Grattan to the Magistrate, PE, 28 October 1920; Commission, p. 98.

[153] Commission, p. 101. Cf. letter cited above.

the people of the Location. Grattan obviously preferred to believe that the inhabitants of the Location had a high regard for him, and that they were generally law-abiding. He stated that "the general behaviour of the residents reflects credit on them". In another comment, he linked Masabalala's supporters to the attack on his person

"the undoubted present distrust and hatred of myself .  
only holds good in regard to the followers of Masabalala  
between whom and myself there has been a long struggle." [154]

Such a comment may have been designed to exploit the differences between the 'radicals' and 'moderates' without alienating the latter. Perhaps Masabalala's supporters suspected that Grattan had been party to his arrest, or they saw themselves striking at a symbol of white authority.

The flight of a considerable number of blacks from the city suggested that they also feared repercussions from the shootings. According to a witness who lived in Korsten at the time, there was shooting throughout the night of 23 October and this was done to 'frighten the people'. He told of an acquaintance and his girl friend who literally ran all the way to Alexandria through the night - a distance of some 100 kilometres - because they were afraid. [155] Grattan estimated that some 1 300 Africans left New Brighton over the period 23 to 25 October, although the official figure was given as only 800. Captain Halse informed his superior that thousands of Masabalala's erstwhile followers had left Port Elizabeth for their homes in 'Kaffirland'. [156] He did not explain on what grounds he assumed those who had fled to be followers of Masabalala, and a newspaper report contradicted the supposition that the migrant labourers or so-called 'raw natives' were alone susceptible to the influence of the 'school' people. A group of working class Africans, upon being questioned as to why they were fleeing Port Elizabeth, replied that

[154] CeA, NTS 7657 3/332, Letter from Superintendent, New Brighton Location to Magistrate, PE, 28 October 1920.

[155] Interview with Mr Douglas Maliza, Port Elizabeth, 14 March 1986.

[156] CeA, JUS 276 2/950/19, Letter from District Commandant, SAP, Port Elizabeth to Deputy Commissioner, SAP, Grahamstown,

"they were not going to stay to be shot for the sake of a few educated natives, who were demanding 10s. per day, so as to be able to dress as the white man who had educated him", [157] This was contrary to the following statement, which was typical of the local press:

"native men... in the warmth of their partisanship and simplicity have allowed themselves to be led astray by men of better education and stronger personality... who, by inflammatory utterances and evil counsel excited the minds of their followers and incited them to lawless acts." [158]

The EP Herald expressed surprise at the number of 'Cape Coloured' victims of the shootings because it did not comply with their preconceived notion of who were followers of Masabalala. It added that an analysis of their ages shows them to be 'generally middle aged' and 'far from being the wild irresponsible native young bloods many thought they were'. [159] In fact, the average age of those killed was nearly 37 years [see Appendix C]. This would not appear to give credence to the claim that Masabalala's influence was confined solely to the 'raw natives', nor that "most of the respectable [160] coloured and native people held aloof from Masabalala".

That Masabalala was perceived as their spokesman by the majority of black workers, would appear to have been confirmed at a mass meeting held the day after the shootings. It was decided to ratify a decision to bring forward the strike scheduled for 3, to 1 November. This would seem to suggest that the Union had been 'captured' by its members and that the Committee's non-confrontationist stance had been discredited by the events of the previous day. In spite of the outcome of the Sunday meeting, the following day it was reported that a tense calm had returned to the Bay, and that 'the majority of disaffected natives are apparently

[157] EPH 1 November 1920, citing The Uitenhage Chronicle  
 [158] EPH 26 October 1920 (Editorial).  
 [159] EPH 14 December 1920.  
 [160] EPH 28 October 1920.

returning to their work', although they were 'sullen, morose and insolent'.<sup>[161]</sup> Nonetheless, the local authorities decided to retain the police reinforcements until the strike eventuated, and transfer Masabalala to Grahamstown to stand trial,<sup>[162]</sup> in the hope that his absence would defuse the situation further.

Meanwhile, the Committee of the PEICWU had communicated with H Selby Msimang, the Bloemfontein-based labour leader and President of the national Union.<sup>[163]</sup> He (in the words of Abdurahman) was requested to "hasten to Port Elizabeth and to extricate them from the difficulty they had landed themselves in".<sup>[164]</sup> The Port Elizabeth CID knew of his impending arrival for they had run a check on Msimang with their Bloemfontein counterparts,<sup>[165]</sup> and were pleased to hear that he was considered a 'moderate' despite his central role in agitation for higher wages the previous year. On 28 February 1919, the Bloemfontein police had arrested Msimang for incitement to public violence. A crowd had assembled outside the police station and demanded his release, by which time he had been removed. After some rowdy behaviour, the gathering had dispersed and moved off in the direction of the location, having

[161] PEA 10 November 1920.

[162] CeA, JUS 275 2/950/19, Letter from District Commandant, PE to Deputy Commissioner, SAP, Grahamstown, 4 November 1920. Halse expressed the fear that further trouble may ensue if Masabalala returned within the next week or two.

[163] Many interviews provide biographical information about Msimang. Those consulted include the Msimang Reminiscences (BCS 78) in the UCT Library and a tape by A. Odendaal. Others were published in *Drum*, June 1954 and *Contact*, 30 July 1960. See also Skota, *African Yearly Register*, p. 218 and Gerhardt & Karis, *From Protest to Challenge*, Vol. 4, pp. 104-5 and J. Starfield, 'The Autobiographical Writings of R V Seloape Thema and Selby Msimang', History Workshop Paper, Wits, 1987.

[164] CeA, PM 1/1/4/7 277/1920, Letter from Abdurahman to Smuts, 9 December 1920. Abdurahman was under the impression that the Committee of the PEICWU had written to Msimang before Masabalala's arrest, to appeal for his assistance because they were disillusioned with the latter's handling of the issue. He was of the opinion that Msimang would have negotiated a settlement before the strike was scheduled and that Masabalala's arrest had been unnecessary and ill-advised.

[165] CeA, JUS 275 2/950/19, Telegram from Deputy Commissioner, PE, to Commissioner, SAP, Pretoria, 25 October 1920; Msimang Biography, p. 1 which comprises part of the interview to be found in the Reminiscences (hereafter Msimang Biography); Wickins, 'The ICU of Africa', p. 165.

thrown stones at persons and vehicles in the process. They also threatened the property of leading 'native' wardmen. The police had subsequently dispersed the mob by firing over their heads, an action which had not resulted in any casualties. [166] He must have reflected on how events in his own recent past paralleled those in Port Elizabeth, as he read an account of the latter in a newspaper [167] whilst en route to his destination.

The local press noted the arrival, by train on the evening of 27 October, of 'a new factor in the situation' in the person of the Editor of a native paper in the Free State. [168] Msimang was met by Sidzumo, who informed him that some of the Union's committee had deserted Masabalala for fear they might also be arrested. Thereafter, Msimang went to report his presence to the Mayor, whom he assured he would do his best to avert further unrest. However, he insisted that as an 'outsider', he would have to act upon the wishes of the local committee. [169]

With the strike pending, Msimang acted quickly to have the strike resolution rescinded. He held public meetings in New Brighton and Korsten on Saturday 30 and Sunday 31 October, respectively. [170]

At the latter meeting, the crowd unanimously ceded to Msimang the sole responsibility for negotiating a 'reasonable settlement' with employers on their behalf. [171] Perhaps the presence of the mounted police brought home to the crowd that further bloodshed was

[166] This account based on uncritical resumé of the Police Commissioner's Report, CFS. U.G. 35 - 1920. p. 120. Cf. Wickins, 'The ICU of Africa', p. 180.

[167] Msimang Biography, p.1; Starfield, 'Not Quite History', p. 34.

[168] EPH 29 October 1920. The newspaper was Mosumioa-Inxusa (The Messenger).

[169] EPH 3 November 1920; Msimang Biography, p. 2.

[170] CeA, JUS 275 2/950/19, Statement by Native Constable Ngoza, 31 October 1920; EPH 1 November 1920.

[171] EPH 1 November 1920; PEA 3 November 1920. The meeting was attended by Native Constable Ngoza who submitted a report to his superiors, CeA JUS 275 2/950/19, 31 October 1920; Msimang Biography, p. 2.

to be avoided at all costs. Msimang saw his position on a raised platform between the crowd and the police as symbolic of his role of pacifying the two groups.<sup>[172]</sup> Thus, he effectively reversed the decision to strike and in the words of the EP Herald, "cut the ground from under Masabalala's feet, supplanting him as leader of the local movement".<sup>[173]</sup> In between these two meetings, Msimang organised a memorial service at the North End cemetery for the victims of the shootings. It turned out to be an astute political move which secured for him, 'a perfect stranger', the trust of the local black workforce. It seems plausible that the service released the pent up emotion of the crowd, which was prevailed upon to give up thought of retribution and, instead, hope for the realisation of justice. In any event, the occasion served to reinforce Msimang's appeal to the workers to return to work the following day.

The City Council had consented to recognise Msimang as chief representative of the local black workers. He was requested to arrange for a delegation to represent their interests at a meeting scheduled with representatives of employers on 9 November 1920.<sup>[174]</sup> The meeting was, in many respects, little different to those held earlier in the year with employers having to deal with a group of moderates. Msimang recalls that he was successful in getting the 'conservatives' to join the moderate elements of the Union committee to present their case to the employers.<sup>[175]</sup> While no record exists of the names of the members of the delegation under Msimang's leadership, it definitely included Edward Ngesi, who was regarded as an 'old, trusted friend' by local officials.

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[172] Starfield, 'Not Quite History', p. 34 applies this to the description of the funeral service which was held on the Sunday morning. However, in the Biography (p. 2) Msimang recalls that the police and army were withdrawn from the funeral service at his request. Although the SOAS interview consulted by Starfield does, in most respects, correspond with that to be found in the UCT Library, I have followed the latter to which I have had access and, which tallies with the newspaper reports.

[173] EPH 1 November 1920.

[174] CAD, 3/PEZ 1/1/1/139, p. 151.

[175] Msimang Biography, p. 3.

The employers organisations which were represented, included, *inter alia*, the PECOC, the PE Mercantile Association, the PE Master Builders' and Allied Trades Association, and the Midland Manufacturers' Association. The meeting was presided over by the Mayor, W F Savage. A merchant himself, he had earlier called upon employers to pay their black workers a living wage.<sup>[176]</sup> Both sides put forward much the same arguments they had used in the January meeting between employers and representatives of the black workers. Msimang, however, was unable to put a very convincing case to employers for a wage increase, because he was unfamiliar with local conditions and had not been well briefed. He claimed erroneously that the pre-war minimum wage had been 3s. to 4s. (not 2s.6d.) and that wages had since gone up only 6d. (rather than 1s.6d.).<sup>[177]</sup> Although this did not materially alter the fact that the black workforce was struggling to make ends meet, it did not impress his unsympathetic audience. Employers rehashed familiar arguments, which "were not altogether consistent with one another or necessarily relevant".<sup>[178]</sup> While Msimang created a favourable impression because of his apparent moderation, he was clearly uncomfortable with the 10s. demand made by the local union, and would have preferred a 'more realistic' 6s. per day,<sup>[179]</sup> which was considerably less than the 8s. minimum wage that the national ICWU was demanding. Aside from the minimum wage for untrained workers, he argued for wage differentiation on the basis of experience. He suggested a system of grading according to standard of worker efficiency, with pay scales determined thereby.<sup>[180]</sup> The Black Man criticised Msimang's handling of the negotiations, especially for obtaining no assurance from employers that workers would not be victimised for their membership of the Union.<sup>[181]</sup>

[176] EPH 28 October 1920; Wickins, 'The ICU of Africa', p. 165.

[177] EPH 3 November 1920; Wickins, 'The ICU of Africa', pp. 165-6.

[178] Wickins, 'The ICU of Africa', p. 166.

[179] EPH 3 November 1920; Wickins, 'The ICU of Africa', p. 165.

[180] Msimang Biography, p. 3.

[181] The Black Man December 1920. Felton Mokwena [see p. 59 n. 7] was dismissed by Messrs Tayler & Ries, despite 14 years loyal service, because he "apparently devoted a good deal of time to political matters", and for his association with "movements calculated to disturb the Natives".

Because Msimang probably only received the co-operation of moderate leaders, it is questionable whether he was actually in touch with the aspirations of the rank and file Union members.

At a meeting held on 15 November, a 4s.6d. minimum wage offer, which represented an effective 6d. increase, was made to Msimang's delegation.<sup>[182]</sup> Apart from this offer, the only concession that employers made to their black workers, was to agree to examine the cost of living. A sub-committee under the jurisdiction of the City Council, consisting of the Mayor, Councillors W F Caulfield and H E Stent, T C Whyte, Secretary of the Midland Manufacturers Association, and E R McIlwraith, MPC, was appointed to investigate the question.<sup>[183]</sup> The hope was expressed that its findings would serve as a basis for future discussions of the wage question. They made a number of case studies of the cost of living of working class families and their findings would appear to have formed the basis of the Schweizer Commission's observations thereon. This Committee's recommendations amounted to an endorsement of the 4s.6d. minimum wage offer made by its members at the meeting with representatives of the black workforce.<sup>[184]</sup> The Commissioners approved the view that the cost of living, and the prices of black staple foods especially, had begun to decline.<sup>[185]</sup> However, their endorsement of a 4s.6d. minimum wage was not unanimous [see below pp. 148].

[182] EPH 20 November 1920.

[183] CAD 3/PEZ 1/2/1/25, Special and Standing Committee Minutes, 1920, pp. 449-451. The same men testified before the Schweizer Commission (pp. 103-118), and their evidence formed the basis of the Commissioners' observations re the cost of living. See Ans. 123 - 1921, pp. 2-3.

[184] EPH 23 December 1920; PEA 24 December 1920.

[185] Ans. 143 - 1921, p. 3 (para. 18). See p. 27 above.

Meanwhile, the possibility of strike action by white workers again threatened to upset the unresolved negotiations between employers and representatives of black workers. When the PEMEA threatened to declare a 'suspended strike' if their wage demands were not acceded to by 13 November, they were bought off by an appeal not to do anything to force the issue at a stage when the outcome of negotiations with black workers were still delicately poised.<sup>[186]</sup>

The prospect of the suspension of all essential services (with the exception of the supply of water) provided by the Municipality, was exacerbated by the possibility that other labour unions might show solidarity with the PEMEA and bring all industries to a complete standstill.<sup>[187]</sup> The Mayor, implied that considerable pressure had been brought to bear on the City Council by the authorities to resolve the issue. He stated that both the Magistrate and the District Commandant of the SAP expressed anxiety as to the effect such a strike might have on the situation *vis-a-vis* the black workforce. In an 'eleventh hour' debate in the Council Chambers, held on Saturday morning, 13 November, just before the PEMEA deadline expired, one Councillor warned that the stubbornness of certain members of the Council - he was referring to the Finance Committee, in particular - might 'incite the Natives and Coloureds again'. At this special meeting, the Council which had steadfastly refused to make concessions to the PEMEA prior to this, voted to submit the matter to arbitration.<sup>[188]</sup> As far as the employers were concerned, the main point was that the strike had been averted.

Before the 4s.6d. wage offer could be referred to the Union for its decision, Masabalala returned to Port Elizabeth. After a preparatory examination in Grahamstown, he had been committed for trial on a charge of incitement to public violence.<sup>[189]</sup> He was released on

[186] PEA 17 November 1920.

[187] CeA, MNW 546 3315/20, Telegram from Deputy Commissioner of Police, Grahamstown to the Commissioner of Police, Pretoria, 11 November 1920.

[188] PEA 17 November 1920.

[189] Masabalala was represented by W H Stuart, attorney and MP for Tembuland who also represented Kadalie over the matter of his deportation.

bail on 19 November, only to have all charges against him withdrawn at a later date. [190] While a potential crisis had been averted by the prospect of a settlement with white workers, the same was not to be the case with their black counterparts, especially with the return of Masabalala. Msimang called a public meeting at which he argued that once the increase was obtained, it would open the door to further demands. This should be regarded by the PEICWU executive as nothing more than an interim measure. But the offer was rejected and, instead, it was resolved to approach the authorities with a view to securing the original 10s. demand. There can be little doubt that Masabalala exerted an influence on the decision taken at the meeting. He reportedly addressed the meeting, where he upstaged Msimang by calling upon the crowd to reject the compromise negotiated in his absence. [191] In a letter to the EP Herald, Msimang denied that Masabalala had addressed the meeting but the Editor appended the comment that "we publish our correspondents letter but see no reason to correct or modify a report of what happened at the Korsten meeting". [192]

Msimang records that he remained in Port Elizabeth for a month - it was actually closer to two months - helping to consolidate the work of Masabalala. Jane Starfield has suggested that a more appropriate word would possibly have been 'scuttle'; for however innocent Msimang felt himself to be, he had, in effect 'bought off' working class militancy and played into the hands of the authorities by having

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[190] Msimang relates Masabalala's discharge to the wage agreement (Contact 30 July 1960). This would appear unlikely because the Union had expressed its reservations about the 4s.6d. offer. Elsewhere (Biography, p. 3) he states that he persuaded Rubusana to withdraw his complaint, and the authorities were left with no choice but to drop the charges against Masabalala. Perhaps representation by Abdurahman to Smuts was also a factor in obtaining his release.

[191] EPH 24 November 1920.

[192] EPH 26 November 1920. Cf. Msimang Biography, pp. 3-4, which accords with the newspaper's account of the meeting.

settled for a wage far lower than that demanded.<sup>[193]</sup> He claimed to have secured an increase of 4s. (from 2s. to 6s.) but this is quite clearly misleading. Although Msimang tried to play down the rivalry between the two men, it is obvious that Masabalala resented having to play a junior role to an 'outsider'. He considered that Msimang had weakened the bargaining position of the local branch of the Union; and he was apparently supported in this view by The Black Man which condemned the suspension of the strike, and appealed to the Port Elizabeth workers to appoint their own leaders and send the 'intruder', Msimang, home.<sup>[194]</sup> Msimang, on the other hand, believed in a gradualist approach in order to achieve the workers' demands. Despite his obvious opposition to his methods, Msimang regarded Masabalala as a 'mouthpiece' of the people:

"If Masabalala had not got up to raise the voice of the worker, some worse upheaval or outbreak might have taken place. Masabalala was therefore not the cause of the dissatisfaction, but the case was on the point of eruption. It only required something to touch it."<sup>[195]</sup>

He did not, however, reflect on why it was that the workers seemed to speak with two voices. Quite clearly Msimang represented what he considered to be the voice of reason and moderation, whilst Masabalala represented the voice of folly in making improbable demands. Masabalala, equally, saw himself as having acted in response to the workers' demands.<sup>[196]</sup> Msimang claimed he had attempted to hand back the leadership to Masabalala, but that this had proved unacceptable to the people, who had withdrawn their support from the local leader.<sup>[197]</sup> In fact, whilst the 'moderate' faction was firmly entrenched in the Union, there was still popular support for Masabalala.

[193] Starfield, 'Not Quite History', pp. 35-6. The SOAS interview which she consulted had a "strategic blank in the text" where the word 'consolidate' appears in the UCT version of the Msimang Biography (p. 4).

[194] The Black Man November 1920.

[195] Msimang Biography, p. 3; Starfield, 'Not Quite History', p. 34.

[196] PEA 30 July 1921.

[197] Msimang Biography, p. 4.

Dissatisfaction with Msimang's conciliatory stance towards employers, amongst the rank and file of the Union, openly surfaced after his departure from Port Elizabeth. Both the City Council and the PECOC expressed surprise and consternation at the reaffirmation of the decision to refuse the 4s.6d. wage offer. Having refused the offer, black workers continued to work for 4s. per day, but "under protest, and in the expectation of being able to force the hands of employers".<sup>[198]</sup> The PECOC asserted that the renewed demand for 10s. per day "renders it no longer a question of wage but genuine agitation, pure and simple".<sup>[199]</sup> This echoed an earlier call the organisation had made on the Government to deal 'severely and promptly with all irresponsible agitation'.<sup>[200]</sup>

Like employers, local authorities considered that black workers had been incited by *agents provocateurs*. Grattan, for instance, claimed that there had been 'outside agitators' responsible for stirring up trouble. He testified to the Schweizer Commission to having been aware of the presence of 'a native from the Transvaal with the reputation of being an agitator', although he could not be certain that this man had held meetings or acted in any way to substantiate his allegation.<sup>[201]</sup> He thought the man was called 'Mbasa', and it is worth noting that at a meeting of the Committee of the Transvaal Native Congress in November 1920, that body issued a statement to the effect that "leaders like Mvabaso (the name seems too similar to that mentioned by Grattan to be coincidental) had not been in Port Elizabeth since July 1918 and had not been responsible for fomenting the trouble".<sup>[202]</sup> It thereby sought to repudiate claims being voiced in certain sectors of the press that agitators

[198] Ans. 143 - 1921, p. 3 (para. 18).

[199] EPH 14 December 1920.

[200] PEA 10 November 1920.

[201] Commission, pp. 99-100.

[202] EPH 28 October 1920. The man referred to in the Transvaal Native Congress resolution was probably L T Mvabaza, an editor of Abantu-Batho and resident of Nancefield in the Klipspruit area, who had played a major role in instigating protest in that area. See L. Callinicos, *Working Life*, p. 93 and Walshe, *The Rise of African Nationalism, passim*.

from the Transvaal or 'northern provinces' had been responsible for instigating the disturbances. Imvo Zabantsundu, for instance, attributed the call for strike action in Port Elizabeth to "the influence of people from the North who are organising Blacks to fight the question of low salaries they get from whites". According to the same newspaper, the succession of strikes in Johannesburg, Bloemfontein, Cape Town and Port Elizabeth was the result of "a tour of the whole country by two Blacks who were preaching the 'Black strike'". It contended that

"Emissaries have from time to time been sent from the North round in the Cape to propagate the great doctrine of 'strikes'... Ever since then secret meetings have in some cases been in vogue indoctrinating the young people with the way 'strikes' are made." [203]

Other conservative black reaction came from headmen of the Newlands and Mcontsho Locations in East London, who deplored the 'revolutionary methods' of the Port Elizabeth workers. [204]

On the other hand, certain comments implied that blacks were incapable of organising their own campaign, and suggested that agitation was caused by white trade unionists. Such a view was reflected in a resolution adopted by the Kimberley City Council:

"such outbreaks [as the Port Elizabeth unrest] are the logical outcome of a systematic campaign of agitators and incitement to violence, carried on amongst coloured and native workers throughout the Union, by European agitators..." [205]

But this view was rejected by no lesser an authority than the Commissioner of the SAP, who stated in a report written towards the end of 1921, that there was "no reason to believe at present Europeans are in anyway influencing this Union [the PEICWU] in Port Elizabeth". [206] Nevertheless, the October disturbances seemed to

[203] Imvo Zabantsundu 26 October 1920.

[204] CeA, NIS 7653 3/332, Letters from V Mfene and Richard Duna to the SNA, 3 and 18 November 1920, respectively.

[205] EPH 28 October 1920.

[206] CeA, JUS 267 3/1064/18, Report of the Commissioner, SAP to the Secretary for Justice, 'Bolshevism in the Union of South Africa', 30 November 1921.

have provided reason enough for the authorities to regard the Union as a potentially subversive organisation. Thus, the Port Elizabeth police force sent spies to attend all Union meetings, one black detective even joining the Union, [207] in order to maintain a check on its activities. This was in keeping with a nation-wide trend whereby the SAP kept all organisations, which were supposedly subject to the influence of Bolshevism, and whose actions might have been construed as militant or revolutionary, under surveillance. [208]

In a recent variant of the external influence theory, Pirio has ascribed a major role to black First World War veterans in the Port Elizabeth disturbances. Citing a resolution passed by the South African Native Labour Brigade, to the effect that 46 ex-members had been amongst the casualties, [209] he concludes that war veterans were the chief instigators of the riot. On the strength of this incident, he makes the unfounded claim that the veterans "constituted the vanguard of the emerging black working class movement and of radical black nationalism in South Africa". [210] However, Grundlingh has pointed out, that "there is no suggestion in the documentation that they spearheaded the unrest or that their war service was a decisive consideration in their action". [211] My own researches have suggested that if war veterans were participants in the unrest, they were part of the rank and file, and not leaders. Moreover, they would have been motivated by their everyday experience of living in Port Elizabeth's townships, rather than their experience of conditions overseas, to become actively involved in the PEICWU.

[207] CeA JUS 275 2/950/19, Report re 'Native Unrest at Port Elizabeth', by Native Constable Ngoza, 31 October 1920.

[208] A series of files in the Central Archives bears testimony to this fact. See JUS 267, 269 and 289 3/1064/18 entitled 'Bolshevism in South Africa' - Reports on, Parts 1 to 4, respectively, covering the period 1918-29. Cf. Bradford, 'The ICU in the South African Countryside', p. 451.

[209] The Black Man November 1920.

[210] G. Pirio, 'The role of Garveyism in the making of the South African working classes and Namibian Nationalism', unpub. paper, New York, 1982, pp. 6-7, cited in Grundlingh, Fighting Their Own War, p. 132.

[211] Ibid., p. 131.

Explanations which make recourse to the 'outside agitator' - whether white or black - provide more insight into the motives of the proponents of such arguments, than the underlying reasons for the disturbances. Such analyses of the causes of the strike and disturbances are dependent on the dubious notion that there were not sufficient factors internal to their situation to 'stir up' the participants without external influence. If it could be argued that the troubles were attributable to an external source, then attention could be directed away from the failure of the authorities and employers to address the legitimate black grievances.

Chapter 5: Repercussions of the Shootings

This chapter will address the question of culpability for the shootings. An inquest determined what had occurred on 23 October, whilst criminal proceedings were instituted against people who, by virtue of their part in the disturbances, had broken the law. On the other hand, the Smuts Government could not afford to ignore the issue of the accountability of the instruments of the state (in this instance, the police) for their actions. A Commission of Enquiry was established to assess the causes of the disturbances and responsibility for the shootings. Its indictment of police handling of the affair, raised the question of the liability of the state for the deaths and injuries which resulted from the shootings.

The Inquest and Trials

An inquest was held in connection with the shootings in the Port Elizabeth Magistrates Court. With the Resident Magistrate, J Bain, absent on sick leave, and the acting magistrates, Stidolph and Arnaud, implicated in the events, it was decided to appoint an 'outsider' to preside over the inquest. H E Gadd from Uitenhage was appointed, despite a question being raised as to his suitability for the job. In private correspondence between officials in the Department of Justice and its Minister, Henry Burton, the fact that Gadd's own parents had been killed by blacks was mentioned as possibly impairing his impartiality in such a case.<sup>[1]</sup> However, this objection was set aside. The inquest began its proceedings on Wednesday 27 October, and continued through to 29 October, whereafter it adjourned. It reconvened, in order to conclude the hearings, on 4 November 1920. It heard numerous witnesses and called upon others to identify the bodies of the dead.<sup>[2]</sup> In keeping with the function of an inquest, the court did not determine culpability for the deaths. Gadd delivered the following matter-of-fact verdict:

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[1] CeA, JUS 275 2/950/19, Telegram from Department of Justice, Pretoria to the Minister, 26 October 1920.  
 [2] Statements made at the Inquest are to be found in CeA, JUS 276 2/950/19. The evidence consists of 90 (barely legible) handwritten or 42 typed foolscap pages. I have cited from the latter.

"that in the case of Charlie Palmer and twenty-four others, death was due to gunshot wounds received during a riot of natives and coloured persons which took place at Baakens Street, Port Elizabeth on 23rd October 1920, and Miss van Rensburg's death was caused by meningeal haemorrhage, due to an injury inflicted on the back of the head with some blunt instrument".[3]

Meanwhile, criminal proceedings were initiated against a number of people, who were charged with offences arising from the disturbances. The Port Elizabeth Magisterial Records indicate that ten people were charged under Section 7 of Act 27 of 1914 for incitement to public violence, or contravention of the Riotous Assemblies Act (27 of 1882).<sup>[4]</sup> However, the only extant record of the exact charge framed, is that of the case of one Fani Hase, who was indicted on a charge of public violence at a preparatory examination on 6 November. His case was remanded to 12 November, when he was committed for trial on 17 November 1920. The full charge sheet read as follows:

"The accused with divers other persons whose names are to the Prosecutor unknown, did wrongfully, unlawfully, and riotously assemble and gather together a crowd of persons with intent by violent and forcible means to disturb and endanger the public peace and security and by such means to invade or interfere with the rights of the people there being, and to make riot and affray, and by the said means to assail or set at defiance the authority of the Police and others in public there established to maintain law and order;  
By assembling together with a crowd of persons on the Market Square, Port Elizabeth, and thereafter assembling together outside the Police station at Baakens Street, ... and did there and then make a riot and affray, and did put divers persons there being in bodily fear, and did assault divers police there being by then and there striking them with sticks, and by throwing stones and other missiles at and against them, and thus the accused did commit the crime of Public Violence."[5]

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- [3] Inquest, p. 42; CeA, JUS 275 2/950/19, Telegram from Magistrate, PE to Department of Justice, Pretoria, 5 November 1920; PEA 6 November 1920.  
 [4] CAD, 1/PEZ 1/1/2/35, Preparatory Examination Book.  
 [5] CAD, 1/PEZ 1/1/2/35, Preparatory Examinations. Records of Proceedings, 1918-1930.

Written statements by two police constables attested to Hase's presence at the Market Square meeting where he made a speech [see above p. 103], and outside the Police Station on the afternoon in question. It was suggested that he was a prime instigator of the disturbances. Hase was found guilty and sentenced to six months hard labour with the option of a £15 fine. The case against John Mahlushana, who faced similar charges, had the same outcome. [6]

Of the six persons who faced charges under the Riotous Assemblies Act, four were found guilty of contravention thereof. All were given sentences of 10s. or 7 days, except for two who received additional sentences for resisting arrest. [7] Charges were withdrawn against James Kosana and a certain Sam Lankey, the latter for want of sufficient evidence to convict him of cutting the New Brighton telephone wire. [8] William Dokomise was charged with assaulting Dr Rubusana at Korsten on 17 October 1920 but was also discharged due to insufficient evidence. [9] A charge under the Riotous Assemblies Act against Theo Roji, was altered to one of Public Violence. Interestingly, this case was moved to the Humansdorp magisterial district for the overtly political purpose of arresting the expanding influence of the Union in the hinterland. It was probably thought that, if it could be seen that the law would take its course against activists who were purportedly stirring up trouble, it might make people think twice before joining the Union. The fines of all those found guilty were paid, but there is no indication that they were met by the Union.

#### The Appointment and Findings of the Commission of Enquiry

The judicial proceedings did little to offset the clamour for the Government to appoint a Commission of Enquiry to undertake a thorough investigation into the disturbances. Whilst the Department of Justice considered that it had fulfilled its obligations to the public by the

- [6] CAD, 1/PEZ 1/2/1/81, Criminal Record Book; PEA 27 October 1920; EPH 5 November and 7 December 1920.  
 [7] CeA, JUS 275 2/950/19, Letter from the Secretary for Justice to the Magistrate, Port Elizabeth, 27 October 1920.  
 [8] EPH 3 November 1920.  
 [9] PEA 6 November 1920; EPH 10 November 1920.

appointment of the inquest, [10] public opinion thought it necessary to examine the underlying causes of the disturbances. Pressure took the form of numerous telegrams and letters from interested parties, including representation from a Joint Executive formed in Cape Town consisting of the APO, ICU, ICWU, IWA and the Cape Native Congress, as well as an influential deputation of local 'natives'. [11] These calls included repeated appeals that the inquiry be handled by impartial men with no interest in the affairs of Port Elizabeth. [12]

Meanwhile, the Department of Justice expressed the hope that if a wage settlement was arrived at between black workers and employers in Port Elizabeth, this would make the appointment of a Commission of Enquiry unnecessary. [13] However, this was not to be, for it was considered politically expedient to placate those demanding an inquiry. Once it had been decided to appoint a Commission of Enquiry, further delay was caused by debate within government circles as to the Commission's terms of reference. There was some support for the idea that the Commission should concern itself solely with the shootings, while others held that it should also examine the socio-economic conditions of Port Elizabeth's black population. The latter question was considered by the Secretary for Justice to be a separate matter, and outside the scope of a Commission of Enquiry into the disturbances. It was suggested that any commission, whose terms of reference included the economic conditions of Port Elizabeth's black population, was a matter for the Native Affairs Department. [14] When the Commission of Enquiry was finally appointed, its terms of reference included the investigation of "the general economic conditions as they affected the native and coloured population, especially (a) in regard to the rates of wages and (b)

[10] CeA, JUS 275 2/950/19, Telegram from Department of Justice to Minister, Burton, 27 October 1920.

[11] EPH 3 November 1920.

[12] CeA, JUS 275 2/950/19, Telegram from Acting Magistrate, PE to Department of Justice, Pretoria, 26 October 1920.

[13] CeA, JUS 275 2/950/19, Letter from the Secretary for Justice to the Magistrate, Port Elizabeth, 27 October 1920.

[14] CeA, NTS 7657 3/332, Telegram for the Secretary for Justice to the SNA, 29 October 1920.

the cost of living".<sup>[15]</sup> This would, *ipso facto*, seem to have implied that the disturbances were related to the socio-economic circumstances of Port Elizabeth's black population.

The Government appointed a three man commission under the chairmanship of C A Schweizer, an attorney and farmer from Burghersdorp, and a former S A Party member of the Legislative Assembly who had held the Aliwal seat since 1915. Following his defeat by the National Party (NP) candidate in the 1920 Election, Schweizer was appointed a Senator. Before the re-delimitation of the constituency prior to the 1920 Election, Aliwal had included the black voters of the Herschel district, who had given Schweizer their support on the recommendation of John X Merriman. This endorsement would seem to suggest that he was a Cape liberal of the Merriman mould: that group whose paternalism, according to Lewsen, was linked with a belief in white superiority. Blacks, so it was argued, should be afforded the opportunity to attain the rights of 'civilized men, so as to be able to participate in British government institutions on equal terms with whites.<sup>[16]</sup>

The second member of the Commission, Dr A W Roberts, was also a Cape liberal,<sup>[17]</sup> who was said to have been appointed to safeguard the interests of Africans. As an educationist attached to Lovedale College (1883-1920), he might, at the very least, have been in touch with the aspirations of the educated elite. Like Schweizer, Roberts also became a Senator. Between 1920 and 1935 he served on the Native Affairs Commission, which was a statutory body created to investigate

[15] Preface to Ans. 143 - 1921.

[16] P. Lewsen, 'The Cape Liberal Tradition - Myth or Reality?', Race, 13, 1971, p. 77. The 'Cape liberal tradition' was not a coherent ideology but a coalescence of many strands of thought which were often contradictory. See Lewsen, *Ibid.* p. 70 and S. Trapido, 'Liberalism in the Cape in the 19th and 20th Centuries', ICS Papers, 4, 17 (1973), p. 55. Cf. T.R.H. Davenport, 'The Cape Liberal Tradition', p. 28-9 in Elphick, et al (eds), Democratic Liberalism in South Africa.

[17] P. Rich, 'Segregation and the Cape Liberal Tradition', ICS Papers, 10, p. 38 says that by the 1930s Roberts represented the archetypal liberal position. He championed assimilation, in response to the rise of segregation, which rested on collectivist premises, in contrast to the essentially individualist and *laissez faire* premises of 19th Century liberalism, which had been enshrined in the classical Cape liberal tradition. Cf. White Power, pp. 60-1.

and advise upon problems pertaining to Africans. In addition, he served on numerous other commissions such as the Bondelswarts, Transvaal Labour, and Native Economic Commissions,<sup>[19]</sup> which would seem to suggest that he was regarded as an 'expert' on Native Affairs. If, by the standards of the Smuts Government, the white members of the Commission were fairly liberal, the choice of the third member was even more surprising.

Dr A Abdurahman, the 'Coloured' politician,<sup>[20]</sup> was the first black to have been appointed to such an office. Representation for such an appointment had been made by Kadalie's ICU, and by Abdurahman himself on behalf of the APO.<sup>[21]</sup> As President of the APO, and member of the Cape Town City Council, Abdurahman was an influential figure in Cape politics. Founded in Cape Town in 1905 as the SA Native and Coloured Peoples' Organisation and later known as the African Political Organisation, the APO had branches nation-wide, including Port Elizabeth. On account of the size of its membership, it acted as a pressure group on behalf of the 'Coloured' elite and could exercise a considerable influence on the outcome of the election in a number of Cape constituencies. Although Abdurahman tended to support the SA Party Government, he was not averse to using his influence over 'Coloured' voters as a bargaining point with the Prime Minister of the day.<sup>[22]</sup> This was clearly demonstrated in a letter he wrote to Smuts before the Commission had released its findings, in which he appealed for the release of Masabalala, as well as the cancellation of Kadalie's deportation order. Abdurahman stated that "their cases were being discussed throughout the country by non-Europeans and will seriously affect the political outlook as far as the elections are concerned".<sup>[23]</sup> Wickins suggests that the appointment and the composition of the Commission had been motivated chiefly by the needs of the Smuts Government, which had remained in

[19] G. Lewis, 'The Bondelswarts Rebellion of 1922' (MA, Rhodes, 1977), p. 246.

[20] C. Kadalie, My Life and the ICU, p. 52; H.J. & R. Simons, Class and Colour in South Africa, p. 242.

[21] CeA, JUS 275 27950/19, Telegrams dated 1 and 3 November, 1920.

[22] G. Lewis, Between the wire and the wall, pp. 1, 27; SADB, I, p. 1; Odendaal, Vukani Bantu!, p. 98; Karis and Carter, From Protest to Challenge, Vol. 4: Political Profiles, p. 11.

[23] CeA, PM 1717477 2777/1920, Letter dated 9 December 1920.

power largely on account of Unionist support, to obtain maximum electoral support amongst blacks in the forthcoming general election.<sup>[23]</sup> If this was the case, then the government's attempt to curry favour with black voters only lasted until shortly after the March 1921 Election, when the S A Party was returned to power - following fusion with the Unionists - with a sizeable parliamentary majority. Any goodwill the Smuts Government may have engendered by the appointment of the Commission in the first place, would have been negated by its response to the findings.

The Commissioners commenced their investigation on 22 November 1920. They paid visits to Korsten and New Brighton, and inspected the Baakens Street Police Station.<sup>[24]</sup> Thereafter, the hearings were held *in camera* in the local civil court. Using the Inquest proceedings as a starting point, the Chairman directed questions at witnesses, whereafter his colleagues and the legal representatives were free to seek clarification on any points raised by the witnesses' testimony. The evidence does not include the questions asked by the members but it is usually readily apparent from the answer given by witnesses, what the gist of the questions was.<sup>[25]</sup> The legal representative of the SAP was a senior police officer, a Major Hutchons, who had not been involved in the affair.<sup>[26]</sup> Although Captain Halse was present, he was not allowed to ask questions, and could only instruct Hutchons. Nevertheless, the *modus operandi* afforded the police the opportunity to highlight extenuating factors in explaining their actions, on a number of occasions, during the course of the hearings. Msimang, who was assisted by the attorney Lawson Brown, watched over the interests of the blacks. Initially, an advertisement was placed in the local press calling upon all those who wished to give evidence to come

[23] Wickins, 'The ICU of Africa', p. 162.

[24] An. 656 - 1921, p. 1.

[25] The evidence amounted to a total of 285 typewritten pages but, unfortunately, the only extant version to have been located is incomplete. UNISA Documentation Centre for African Studies, Abdurahman Family Papers, Mic. No. 5849, Report of the 1920 Shooting (Incomplete), has pp. 11, 95-134, 177-283 of the evidence of the Schweizer Commission which is also available at Jagger Library, UCT (BC ZA 83/30-34).

[26] An. 656 - 1921, p. 1.

forward, but the advertisement had to be repeated as the response was relatively poor.<sup>[27]</sup> A total of 69 witnesses were heard during the course of the proceedings which lasted until 4 December 1920.

From the very outset the Commission encountered adverse publicity, which was bound (or perhaps designed) to prejudice its findings. A report, which apparently emanated from Port Elizabeth, appeared in the Rand Daily Mail under the heading "a Hole and Corner Commission", on 23 November. It made allegations that the Commission was going about its business so secretively that even the Resident Magistrate had been unaware that it was conducting its hearings in the local courthouse. The report also made the claim that the 'legal interests of others than natives and police have been excluded' by the holding of *in camera* hearings. Schweizer denied that local authorities were unaware of the Commission's presence, for all arrangements for the conduct of the hearings had been made through official channels. Furthermore, he asserted that no legal representatives who asked to attend were excluded. He defended the decision to conduct the hearings in private on grounds of inadequate accommodation for spectators, and added that the public was kept informed by means of press releases.<sup>[28]</sup> He expressed concern that the above mentioned report was 'likely to prejudice the work of the committee and also the interests of the public', and appealed for a public repudiation of the the inaccuracies contained therein.<sup>[29]</sup> It is unlikely that the Commission was able to counter it's poor public image, deliberately created by certain sectors of the press.

Shortly after the Commission had completed the hearings, Schweizer sought clarification as to the nature of the report required of him. He wished to know if the report should merely record the facts, or whether the Commissioners should express their personal opinions and make recommendations. The Secretary for Native Affairs, after having

[27] Ans. 143 - 1921, p. 8 (para. 64).

[28] I was unable to find any in the EP Herald.

[29] CeA, NTS 7657 3/332, Letter from Schweizer, PE to the SNA, Pretoria, 29 November 1920.

consulted with the Prime Minister, informed Schweizer that he was "to place on record... any relevant opinions or recommendations they may regard as likely to prove helpful".<sup>[30]</sup> Nonetheless, the question of the scope of the Commission's inquiry into the economic conditions came under the spotlight, on account of a difference of opinion between the Commissioners on the question of a minimum wage.

Schweizer believed that in the economic conditions prevailing in Port Elizabeth a minimum wage of 4s.6d. per day was reasonable, while his colleagues would have preferred at least 5s. per day. When Schweizer wished to know whether or not to include a recommendation on this matter in the Commission's report, he was informed that the Prime Minister "considered it will be best for the Committee to confine itself to the terms of reference as the question of a minimum wage is one which should not be dealt with simply by [a] single localised enquiry".<sup>[31]</sup> The apparent inconsistency in directives from the Prime Minister's office, might be explained by the fact that other enquiries, then in progress, might have dealt with the cost of living on a national basis.<sup>[32]</sup> The Schweizer Commission's terms of reference, which included wage rates, clearly implied that an investigation into the question of a minimum wage was relevant. After consulting his colleagues, Schweizer did not delete the reference to a minimum wage, but merely changed the wording of the final draft of the report so as to minimise their difference of opinion: instead of specifying that Abdurahman and Roberts considered 5s. acceptable, it was simply stated that they regarded 4s.6d. per day as 'insufficient'.<sup>[33]</sup>

[30] CeA, NTS 7657 3/332, Letter from Secretary for Native Affairs to C A Schweizer, 9 December 1920.

[31] Cory Library, Roberts Papers, PR 3515(a), Letter from Schweizer to Roberts, 4 January 1921.

[32] A Cost of Living Commission Report (UG. 1 - 1919) had concerned itself mainly with profiteering and it had not analysed the socio-economic circumstances of the man in the street, let alone the specific conditions of Port Elizabeth's black population which might have caused some duplication of the work of such a commission. A Cost of Living Committee was subsequently appointed to investigate more relevant issues but its Report was only published much later (UG. 47 - 1925).

[33] Ans. 143 - 1921, p. 3 (para. 18).

The Commission's report, along with the evidence, was submitted to the Prime Minister's Office on 11 January 1921. It is worth noting that Msimang had returned to Port Elizabeth in early February to 'appease Union members' in order to avert the possibility of 'another outburst'. He reported that 'feeling among the workers was growing pretty high', and that the report of the Schweizer Commission was anxiously awaited.<sup>[34]</sup> It was tabled in Parliament by the Minister of Native Affairs, F S Malan, on 22 March, and was subsequently referred by the Assembly to the Select Committee on Native Affairs.<sup>[35]</sup> Apart from the abovementioned difference of opinion as regards a minimum wage, it was a unanimous report. Despite the fact that the Commission had to unravel contradictory evidence in order to reconstruct events, there were apparently no fundamental differences of opinion as to what had transpired on the afternoon of the 23 October. To their detractors, the Commissioners' unanimity suggested that they had preconceived ideas about the cause of the incident.

The Commission concluded that Captain Halse had acted unwisely in 'peremptorily' declining to grant Masabalala bail following representations for his release.<sup>[36]</sup> Yet, even with the benefit of hindsight, Halse was emphatic that he had done the right thing in refusing to release Masabalala on bail. He was seemingly unaware of the irony of his words:

"had Masabalala not been arrested when he was, or had he that day been liberated on bail, we would have had very serious trouble indeed."<sup>[37]</sup>

The Commissioners, obviously, did not share Halse's appraisal of the situation, for it was their opinion that "had Masabalala been released on bail the natives would have been satisfied and the tragedy which occurred in the afternoon would have been averted".<sup>[38]</sup> The Commissioners' criticisms clearly implied that

[34] CeA, NIS 7657 3/332, Letter from H S Msimang to the Secretary for Native Affairs, 10 February 1920.

[35] EPH 3 June 1921.

[36] Ans. 143 - 1921, p. 8 (para. 65).

[37] An. 582 - 1921, p. 15.

[38] Ans. 143 - 1921, p. 7 (para. 65).

Halse had exercised poor judgment or, at the very least, indiscretion in refusing to release Masabalala on bail and, therefore, had to shoulder a fair share of the blame for the tragedy which followed. Whilst Halse, undoubtedly, had been faced with a difficult situation, he had not shown much foresight. Perhaps the real sin of omission was the failure to disperse the mob before drastic measures became necessary.

The Commission dismissed police assertions that those 'natives' who entered the town after 5 p.m., "provided themselves with sticks for the express purpose of creating trouble", as not being supported by the evidence.<sup>[39]</sup> A counter-claim by the Police was that the Commission failed to distinguish between the early group, who had carried the customary walking sticks, and the 'reinforcements' who were armed with two sticks or kerries. In their view, it was the latter group which was intent on confrontation with the authorities.<sup>[40]</sup> As far as the Commission was concerned, it was a *post hoc ergo propter hoc* fallacy to interpret the intentions of the crowd in the light of subsequent events. The Commissioners appear to have believed that it was not possible to impute motives to those who entered town in the manner described by police witnesses, but only to those who demonstrated their intentions by their subsequent actions. Whilst the Commission condemned "the ... behaviour of the natives in assembling in force before the Police Station with the avowed determination of forcibly effecting the release of Masabalala in defiance of law and order",<sup>[41]</sup> it did not necessarily consider such action as a recipe for violence. The Commissioners also expressed the opinion that those at the foot of the steps to the entrance of the Station, had displayed great fortitude in bearing the brunt of the crowd's subsequent hostility.<sup>[42]</sup> In an uncharacteristic word of commendation for the actions of the Police, the Commission praised the conduct of Sub-Inspector Hart and the two sergeants who occupied the most exposed position in front of the assailants, as "most patient and exemplary in the face of the hostile and threatening

[39] Ans. 143 - 1921, p. 4 (para. 24).

[40] An. 582 - 1921, pp. 12, 18.

[41] Ans. 143 - 1921, p. 9 (para. 66).

[42] Ans. 143 - 1921, p. 6 (para. 36).

conduct on the part of a section of the mob". [43] In contrast to the behaviour of the vigilantes manning the balcony, they displayed the restraint demanded of policemen in such circumstances.

The Commission accepted the weight of corroborative evidence that the effect of drink on the crowd was visible, but not as widespread as the Police would have had it:

"three of the demonstrators, visibly under the influence of liquor were particularly noisy and threatening and were being encouraged by their friends behind and immediately around them, to rush at and attack the police, which they did in a very half-hearted manner." [44]

Thus, the Commission tended to see the drunken state of certain demonstrators as detracting from any criminal intent, or danger they might have posed to those guarding the Police Station. The Police, on the other hand, regarded drunkenness as a major contributory factor in explaining the unruly and riotous behaviour of the crowd. The Police version was widely accepted by the authorities, and the Acting Magistrate made the highly improbable claim that:

"... the recent riots were, so far as I can learn, largely the result of liquor being supplied to Cape boys and natives..." [45]

The disturbances seemed to provide ammunition for the campaign being waged by the authorities to eliminate illicit brewing of beer, and the practice of 'exempted natives' procuring liquor for those who could not buy it in the town. The Acting Magistrate endorsed the SAP Commissioner's appeal that the Port Elizabeth district be proclaimed a 'Native area', where liquor could not be sold to Africans in terms of Section 21 of Act 28 of 1883. In support of his contention, he stated that when hotel keepers mutually agreed not to supply blacks with liquor during the week after the shootings, there had been fewer cases of drunkenness and riotous behaviour than was normally the case. But the seriousness of the events would have had a sobering effect on any community. Nor did it necessarily mean that the behaviour of the crowd during the course of the afternoon of the shootings would have been any different, had liquor not been

[43] ~~Ans. 143 - 1921~~, p. 9 (para. 68).

[44] ~~Ans. 143 - 1921~~, p. 4 (para. 25).

[45] CeA, JUS 288 2/1010/20, Letter from the ARM, PE to the Secretary for Justice, 5 November 1920.

available to them. As it was, the Magistrate had ordered the bars closed. This token act showed that the authorities had lost sight of the real causes of the deprivation experienced by the blacks, and were merely treating the symptoms.

The Commission was clearly unimpressed with the manner in which Captain Halse handled the matter of arming those who volunteered their services to the police. He claimed to have issued instructions to some of the vigilantes not to shoot until ordered to do so, but the Commission found such inconsistency in the evidence of these men that they concluded that:

"No officers were placed in command over them, and no definite charge or instruction was given to them as to what they should do in certain eventualities. A few were asked by the Magistrate or the officer in charge of the police not to fire without orders, but this advice was given in passing and not as a definite instruction to the men as a whole."<sup>[46]</sup>

In response to the Commission's findings, Halse was more adamant that he had given a definite order for the volunteers not to fire unless instructed to do so.<sup>[47]</sup> He also, deliberately, played down the number of civilian volunteers, who were issued with rifles. Incredibly, Halse also claimed that he had never considered it necessary to inform them of the police code of action under the circumstances, because the thought "had not entered my head for a moment that firing would take place unless I ordered it". This was in spite of his admission that the situation had got out of hand, and he had been on the verge of giving an order to his men to fire on the crowd.<sup>[48]</sup>

While the Commission was unable to reject, out of hand, the contention that the first shots had been fired from the crowd, there was apparent, in its findings, a thorough-going scepticism with regard to this claim. Thus, it rejected the likelihood that Sub-Inspector Hart - whom it regarded as a credible witness - who was closest to the crowd at the foot of the steps, would not have heard

[46] Ans. 143 - 1921, p. 9 (para. 69).

[47] Ans. 582 - 1921, p. 16.

[48] Ans. 582 - 1921, p. 16.

any firing from the crowd. Hart's assertion, that a revolver might have been fired from the crowd without his knowledge, sounded more like an attempt to cover for his colleagues.<sup>[49]</sup> The closest the Commissioners came to allowing the possibility that the police had been fired upon, was by way of explaining how the general firing erupted. They conjectured that it was possible that the volunteer, Erasmus, "took it upon himself to retaliate by firing at the native [who he presumed to have fired shots at the Station], and thus start the fusillade that took place".<sup>[50]</sup> The Commission could do no more than conclude, that it had been unable to determine with any accuracy where the firing had originated.<sup>[51]</sup> But the lack of concrete evidence that any members of the crowd had been armed and the unsatisfactory explanation therefore, had a hollow ring to it. The discovery of knives and other weapons in the pockets of demonstrators, who were killed during the shootings, could have had no bearing on the actions of the men guarding the Police Station. As the Commission pointed out, this was a 'post-mortem discovery', and could not have influenced the men at the time of the shooting.<sup>[52]</sup> For these reasons the Commission's scepticism appears to have been well-grounded.

The Commissioners also expressed reservations about the nature of the physical evidence they were shown: they deemed that it constituted inadequate grounds for the assumption that the police had been fired at by unknown person(s) in the crowd. They concluded that all shots were, more either fired from within the Station, or were not aimed at the police.<sup>[53]</sup> Furthermore, the three holes in the parapet windows were caused by ricochets, and Grant's wound was caused by one of these:

"in the inside of one of the pillars to the left of the steps is a mark which was undoubtedly caused by a direct rifle shot fired by one of the men posted inside the building. It is probable that Grant, who was standing on the steps near the pillar, was struck by a splinter from the casing of that bullet."<sup>[54]</sup>

[49] Commission, p. 181; Ans. 143 - 1921, p. 8 (para. 58).  
 [50] Ans. 143 - 1921, p. 8 (para. 58).  
 [51] Ans. 143 - 1921, p. 9 (para. 71).  
 [52] Ans. 143 - 1921, p. 6 (para. 36).  
 [53] Ans. 143 - 1921, p. 7 (para. 47).  
 [54] Ans. 143 - 1921, p. 7 (para. 46).

Halse responded to the Commission's findings by suggesting that the Commissioners were not in a good position to evaluate the evidence six weeks after the shootings, and had deliberately chosen to ignore any evidence that contradicted their preconceptions that the demonstrators were unarmed.<sup>[55]</sup> But there was clearly no incontrovertible proof that shots had been fired from the crowd. The evidence which supported the police version was, at best, questionable and, at worst, could be dismissed out of hand.

The police and vigilantes were obviously compelled to prove that their actions, in shooting into the crowd, had been justified. The Commission observed that "the allegation that the first shot was fired from the crowd is supported principally by the men who admit that they fired without orders".<sup>[56]</sup> However, it added the qualification that spectators, who had no reason to defend police actions, also testified to having heard at least one shot from the crowd before the general firing ensued.<sup>[57]</sup> Such corroboration of police testimony by independent witnesses, would seem to suggest that it was unlikely that there was collusion between police witnesses in order to fabricate evidence that the first shot had been fired from the crowd. While the Commission never used the terms 'collusion' or 'cover-up' in its report, it insinuated that the justification had been tantamount to that:

"The fact being established that no order to fire had been given by their officer, the men were necessarily compelled to put forward sufficient and satisfactory reasons why they had resorted to such extreme action under the circumstances".<sup>[58]</sup>

Halse rejected this assertion on the grounds that:

"when witnesses, while adhering to the principal point, ... differ as to the non-essentials, then I contend that one is not justified in concluding that any collusion has taken place [but] that the witnesses are giving honest and truthful evidence of how the matter struck them."<sup>[59]</sup>

[55] Ans. 582 - 1921, p. 14.

[56] Ans. 143 - 1921, p. 8 (para. 58).

[57] Ans. 143 - 1921, p. 8 (para. 58).

[58] Ans. 143 - 1921, p. 5 (para. 34).

[59] An 582 - 1921, p. 13

The Commissioners had merely suggested that, in light of the fact that the participants in the shooting had to justify their firing, they did so in the only way possible. Halse, however, argued that his men 'were honestly striving to serve the public good'. There were, in his opinion, also mitigating circumstances for the excessive use of force: that the mob had regrouped on two occasions following abortive attempts to disperse the crowd, and that only drastic measures would have prevented their securing Masabalala's release by means of violence.<sup>[60]</sup> Obviously, the Commissioners remained unconvinced to the very end that there had been sufficient justification for the shooting.<sup>[61]</sup>

The Commission concluded that the unrestrained firing by those defending the Police Station was contrary to the Standing Orders of the SAP, which stipulated that a minimum of fire power should be used to disperse a crowd. They also considered it a serious oversight, on the part of the officer in charge, that the vigilantes were not appraised of this principle. The Commission was also justifiably critical of the fact that Halse did not place an officer or NCO in charge of those on the balcony, and that this lack of discipline contributed to the unnecessarily high toll of casualties. Its conclusion that

"all the firing which took place after the mob broke away was directed against fugitives; that it was unnecessary, indiscriminate, and it was moreover brutal in its callousness, resulting in a terrible toll of killed and wounded without any reason or justification"<sup>[62]</sup>

was a strongly-worded indictment of police actions. Despite its equivocation on certain matters, the essence of the Commission's report was that Captain Halse and the men under his command were unquestionably responsible for the shootings which had taken place.

[60] An. 582 - 1921, p. 16.

[61] An. 656 - 1921, p. 2.

[62] Ans. 143 - 1921, p. 9 (para. 74).

The Response to the Commission's Findings

The findings of the Commission provoked a great deal of public controversy. A correspondent to the Farmers' Weekly, maintained that the report brought the forces of law and order into contempt, and that "the Natives, who far outnumbered the white, can only be kept in his place by being treated with strict justice".<sup>[63]</sup> Msimang's reply, that any law which "discriminates according to colour or size of population was contrary to British rule and Christian conscience", was perhaps characteristic of the political outlook of the Christian élite. He stated further that the Commission's report would help to correct black perceptions of the law as 'an instrument of oppression', because it did not afford them "any moral protection against the wanton aggression of the whites".<sup>[64]</sup> Msimang was, however, mistaken to believe that the Government would necessarily respond to the findings of the Commission by admitting accountability for police actions.

Captain Halse, who bore the brunt of the Commission's castigation and criticism, made a concerted effort to defend his actions. He also questioned the impartiality of the Commissioners. Accusations were made that Abdurahman, in particular, approached the investigation with 'his mind made up', and that the Commission led the evidence in order to verify *prima facie* conclusions.<sup>[65]</sup> He also rued the fact that he was not allowed to put questions to witnesses directly, but only through another party. However, Msimang was equally disadvantaged because he had not been present in Port Elizabeth at the time of the disturbances either. Abdurahman responded to Halse's criticism, by stating that he was prepared to concede that he had posed some leading questions, but that it was in the nature of the Commissioners task to do so. However, he took strong exception to the charge that Schweizer "had sanctioned the continuance of leading questions being put to the witnesses after having had his attention drawn to this irregularity", as an indictment of his integrity.<sup>[66]</sup> The fact that Abdurahman had

[63] Letter from John A. Graham to The Farmers' Weekly published in the PEA 9 April 1921.

[64] PEA 16 April 1921.

[65] An. 582 - 1921, p. 11.

[66] Letter to The Cape Times published in the PEA 29 June 1921.

recalled Halse for further questions, when he was under terrible strain, had obviously added to their mutual dislike. He dismissed, as a deliberate ploy, to discredit the Commission, the allegation that he had "intended giving Captain Halse and Mr Hart hell" before he was even acquainted with the situation.<sup>[67]</sup> Neither the verbatim evidence, nor the manner in which the proceedings were conducted, supports the police contention that the questions were asked in such a way as to elicit the responses they wanted, or that the Commissioners were prejudiced against them. In fact, at the conclusion of the enquiry, Major Hutchons asked to have it recorded that he, on behalf of the police, "thanked the Commission for the patient hearing and the courtesy displayed towards members of the force".<sup>[68]</sup>

Colonel Davie, the deputy Commissioner of Police, Grahamstown, sanctioned further steps, taken by Halse, to defend the actions of officers of the police force. The Commission's report was referred to key police witnesses and Stidolph (by then Magistrate at Upington), who were invited to submit statements in which they responded to the findings of the Commission. The police comments were generally attempts to exonerate themselves from blame and counter the Commission's allegations of misconduct.

Amongst other things, the Police accused the Commissioners of selectivity by ignoring evidence which showed that the demonstrators had been violent in intent and deed. For instance, they insisted that the assault on Miss van Rensburg was not an isolated case. They had received complaints that six whites had been seriously assaulted by blacks retreating from the scene of the shooting, and that the evidence was refused despite the avowal of the Police to provide sworn statements to verify the claims.<sup>[69]</sup> Following the release of the Commissioners' Report, the police gathered sworn statements by a number of people who claimed to have been subject to unprovoked assaults after the shootings of 23 October 1920.<sup>[70]</sup> According to

[67] An. 582 - 1921, p.11.

[68] An. 656 - 1921, p. 2.

[69] An. 582 - 1921, p. 18.

[70] CeA, JCS 276 2/950/19 contains a file of 21 such statements dated April 1921.

an accompanying statement by Sergeant Orchison, who gathered the statements, over 30 whites were brutally assaulted between the time the mob was dispersed and when the Police 'caught them up' at North End. Orchison, himself, seems to have failed to notice that the statements show all alleged assaults to have occurred in the immediate vicinity of the Market Square. Of the victims, it was held that six had been admitted to hospital as 'seriously injured'.<sup>[71]</sup>

It is difficult to understand why the witnesses, who made sworn statements to the Police five months after the Commission's visit to Port Elizabeth, had not come forward of their own accord during the course of the hearings. While the Commission might, conceivably, not have been prepared to admit such evidence as having a bearing on the shootings, it held a special session at which it heard evidence pertaining to the assault on Miss van Rensburg. The Commission stated that it was the only case of its kind brought to its attention, in spite of the fact that a notice was run in the local press which had solicited the testimony of all persons wishing to give evidence.<sup>[72]</sup> Thus, the Commissioners could not have known about the alleged assaults and would have not been in a position to have mentioned them in their Report, even had they considered it relevant to the disturbances.

The abovementioned police statements were collated as a response of the SAP to the indictment of the Commission. At the suggestion of the Department of Justice, they were subsequently made available to the Select Committee on Native Affairs which considered the Commission's report.<sup>[73]</sup> At the insistence of the Minister of Justice, the police comments were published together with the Commission's Report (with consecutive pagination), and were tabled in Parliament on 21 June 1921.<sup>[74]</sup> In allowing the police statements to be appended to its report, the Government impugned the credibility of a Commission which it had appointed. In the opinion of the members of the Commission this 'extraordinary procedure' could not "otherwise be

[71] An. 582 - 1921, p. 11.

[72] An. 656 - 1921, p. 2.

[73] CeA JUS 275 2/950/19. See note scribbled on letter from Commissioner, SAP, Pretoria to Secretary for Justice, 13 April 1921 and return telegram dated 22 April 1921.

[74] CeA NTS 7657 3/332, Letter from SNA to Schweizer, 30 June 1921.

construed than a reflection upon their impartiality".<sup>[75]</sup> The Commission, in turn, responded with a letter to the Acting Prime Minister, F S Malan, in which they condemned the Government's breach of faith and defended their own integrity.<sup>[76]</sup>

The Government's ambivalent response to the Commission's Report reflected a division between the Departments of Justice and Native Affairs. This was suggested in a statement by a Mr Warwick, who remarked that:

"The Report is not accepted by the Department of Justice. By that I mean that they disagree with a great deal of it."<sup>[77]</sup>

The Department of Native Affairs, however, would appear to have accepted the findings of the Commission if the opinion of the Secretary, E Barrett, is anything to go by. In a letter to the Secretary for Finance, about the the question of compensation to victims of the shootings, he expressed the view that the Government should accept liability because the shooting was "largely unnecessary, was unauthorised, and was carried out with weapons placed in the hands of the killers by the Government".<sup>[78]</sup> Unlike the position adopted by the Department of Justice, this statement could be construed as an admission of the responsibility of the Government in the illegal and unjustified actions of the police and vigilantes.

#### The Compensation Issue

The question of compensation for victims of the shooting had the potential to become a major political issue, with the propensity to win or lose votes for the Government amongst the black electorate of the Cape. Following the adoption of a resolution at the meeting of the APO in Cape Town, Dr Abdurahman headed a deputation, which

[75] An. 656 - 1921, p. 1.

[76] This letter tabled on 5 July 1921 was published separately as an Annexure to the Debates of the House of Assembly (An. 656 - 1921). See Appendix E.

[77] S.C. 12A - 1921, p. 5.

[78] S.C. 12A - 1921, p. 3.

approached the Prime Minister for compensation for 'the widows and orphans deprived of the family breadwinner' as a result of the Port Elizabeth shootings.<sup>[79]</sup> Claims were also made by certain victims and their dependents, for amounts ranging from £300 to £3 000 on account of deaths or injuries sustained as a result of the shootings.<sup>[80]</sup> These were dismissed by the Department of Justice, on the basis that were insufficient grounds to "hold the Government liable for damages in respect of injuries alleged to have been received in the Native Riots at Port Elizabeth".<sup>[81]</sup> Meanwhile, the Treasury agreed to defray the respective burial and medical expenses of two public servants, namely Miss van Rensburg and Mr W W Jones, but not to pay further compensation. It rejected the application by the dependents of another innocent bystander, D Collenette, for compensation, but suggested that a petition should be laid before Parliament.<sup>[82]</sup>

The matter was turned over to a Select Committee on Native Affairs in April 1921, in order to ascertain the extent (if any) of Government liability arising from the shootings. At its second session, the Committee decided to consider the Report in conjunction with the original evidence of the proceedings of the inquest and police comments on the Commission's Report. During the course of its deliberations, the Committee became bogged down over two issues: whether the Government should pay compensation to the general public or to public servants only, and whether it should distinguish between those who were 'deliberate spectators' and those 'who were merely passing by the vicinity'.<sup>[83]</sup> After debating the evidence at its following session, two motions were proposed which suggested a clear divergence of opinion within the Select Committee. While both motions accepted the need to pay compensation, the wording of the first did not condemn the actions of the police. The second motion, on the

[79] Cape Times 1 April 1921; EPH 2 April 1921 cited in An. 582 - 1921, p. 17.

[80] CeA, JUS 276 2/950/19, Letter from Secretary for Justice to SNA, 25 April 1921.

[81] CeA, JUS 275 2/950/19, Telegram from Justice, Cape Town to Justice, Pretoria, 22 April 1921.

[82] S.C. 12A - 1921, p. 2.

[83] S.C. 12A - 1921, p. 5.

other hand, expressed the view that "the action of the Police and armed civilians was illegal and that the Government be requested to compensate any sufferers or their dependents from the illegal action of their servants".<sup>[84]</sup> Eventually, the Select Committee adopted the following resolution:

The Committee finds it impossible [without further inquiry] to form a correct estimate of the claims, if any, for compensation by sufferers in connection with the Port Elizabeth riots on the 23rd October, 1920, and recommends that the question of making *ex gratia* payments as compensation to such sufferers be referred to the Government for consideration."<sup>[85]</sup>

In order to resolve the issue once and for all, F S Malan, in his capacity as Acting Minister of Native Affairs, decided on a new course of action. He instructed his Secretary to make the necessary arrangements for 'a good financial man' to proceed to Port Elizabeth to make inquiry on the spot, and frame recommendations for the payment of compensation.<sup>[86]</sup>

Unsuccessful approaches were made by the Department of Native Affairs for the services of a suitable officer from both the Treasury and the Department of Justice. The Treasury, however, did suggest that in order to avoid creating a precedent, the person appointed be given definite instructions as to the grounds on which the Government was prepared to accept liability. It cited the report of the 1913 Moffat Commission, where the Government was disposed "to accept liability only where it could be established that the person killed or injured was neither a participator nor a willing spectator of the disturbance".<sup>[87]</sup> Thus, the whole case for compensation rested on the claim that while some firing may have been necessary, the firing which occurred was not in accordance with proper police procedure and led to unnecessary death and injury. The Secretary for Native Affairs, however, expressed his conviction that "it will not be

[84] S.C. 12A - 1921, p. v.

[85] *Ibid.*

[86] CeA, NTS 7657 3/332, Letter from the SNA to the Minister of Native Affairs, 22 September 1921.

[87] Extract from the Report of the Witwatersrand Disturbances Commission (U.G. 56 - '13).

possible to establish what measure of culpability, if any, could be attached to many of the victims" of the shooting, many of whom were 'idle spectators'. In his view the Treasury's reservations should be set aside for the payment of compensation - which he added need not be on an extravagant scale - would do more harm than good by showing that the Government was sincere in its dealings with the 'natives'.<sup>[88]</sup>

An Umtata Magistrate, C J Warner, was appointed as special commissioner to hear claims in connection with the Port Elizabeth shootings. Shortly before his arrival in the city, the PEICWU was informed by the District Commandant of the conditions whereby compensation would be paid. The Union expressed strong opposition to the nature of the conditions, which effectively disqualified Union members from lodging claims. It was resolved to send a deputation to wait upon Warner, and a telegram was despatched to the Prime Minister to register their protest against the terms for compensation.<sup>[89]</sup> Following the arrival of Warner, a notice appeared in the local press, which stipulated that the inquiry for compensation was strictly limited to the following cases:-

- (1) Persons who can satisfactorily prove that not being themselves in any way concerned in unlawful acts during the disturbances at Port Elizabeth on the 23rd October, 1920, or not being willing spectators of such acts, they received serious permanent injuries from the use by the Military or Police of firearms or other lawful force in suppressing such disturbances.
- (2) Persons who can satisfactorily prove that they were dependent for maintenance or support upon any person killed by, or dead owing to injuries received from the use of firearms or other lawful force by the Military or Police forces during the events aforesaid provided the persons so dependent can satisfactorily prove that the person so killed or dying was not such person as would have been excepted under paragraph 1, if he had merely been injured and survived.<sup>[90]</sup>

[88] CeA, NTS 7657 3/332, Letter from SNA to Minister of Native Affairs, 22 September 1921.

[89] EPH 29 October 1921.

[90] EPH 29 October 1921.

The hearings lasted three days and considered 20 claims for compensation, as a result of which Warner recommended that awards be made to thirteen people to the value of £2 578.13s.6d. Of those who made successful claims, no more than five were Blacks. Barrett sought an explanation for the absence of 'native' claims, in view of 'the disproportion between European and Native victims' of the shooting.<sup>[91]</sup> By way of explanation, he was informed that Warner was of the opinion that the reason for there being so few 'native' claims was that "nearly all natives injured were willing spectators or participants in the disturbances and knowing that they were thus precluded from entering claims, refrained from doing so".<sup>[92]</sup> In effect, it meant that PEICWU members were debarred from making a claim for compensation, for they were implicated in the disturbances by virtue of their Union membership.<sup>[93]</sup>

The matter of compensation did not, however, end there. At the annual conference of the ICU, held in Cape Town in January 1923, a resolution was passed which amounted to a renewed call for the Government to compensate the dependents of those killed or injured in the Port Elizabeth disturbances.<sup>[94]</sup> A deputation which was granted an interview with F S Malan, Acting Minister of Native Affairs, informed him that several 'innocent victims' of the shooting had not been able to prove that they had not been 'willing spectators', and were not 'concerned in the unlawful acts', as required to do in terms of the conditions for having claims considered. Malan's rejoinder was that the Government had given those deserving of compensation ample time to make a claim, and that they had not availed themselves of the opportunity to do so. He also asserted that the hearings held by

[91] CeA, NTS 7657 3/332, Telegram from Secretary for Native Affairs to the Chief Magistrate, Umtata, 16 November 1921.

[92] CeA, NTS 7657 3/332, Telegram from Chief Magistrate, Umtata to Secretary for Native Affairs, 17 November 1921.

[93] An undated paper with an ICU, PE rubberstamp and signed by James la Guma, Secretary (which would possibly date it no earlier than 1923), provides a list of 18 killed: 6 who died of injuries and 23 wounded. It was found amidst other documents relating to the compensation issue in CeA, NTS 7657 3/332. However, it could not be ascertained whether these were all Union members.

[94] Umteteli wa Bantu 3 February 1923.

Warner to assess claims for compensation had been 'practically boycotted'. It was denied by the delegation that the Union had advised people not to co-operate. The real explanation, they assured Malan, was that Union members 'were afraid to appear' before the Commissioner for fear of being victimised. Malan, however, informed the deputation that after such a long lapse of time the matter could not, under any circumstances, be reopened. [95]

It would appear, however, that at least a further three victims received compensation when the Native Affairs Commission recommended the following *ex gratia* payments:

"To dependents of three Europeans killed, £1 481 6s., to seven Europeans injured, £705 2s., to dependents of one Coloured person killed £197.7s.6d., to two Coloured persons injured £180, to dependents of two Natives killed £75, to one Native injured £15... cost of burial for unclaimed Natives, £62.2s.6d." [96]

It was stated by the Secretary for Finance that 'no legal responsibility rests upon the Government for admitting liability', but that the above payments were 'an act of grace'. [97] The discriminatory basis of the compensation payments (in the words of Wickins) "could not have been better calculated to arouse resentment amongst the African and Coloured people". [98] It fell to the Mayor of Port Elizabeth to become the channel for this 'goodwill gesture', and disburse the compensation decided on by the Government. He had previously given permission to the Union to hold a street collection for the victims and their dependents and the sum of £16.5s. was collected for distribution amongst the most deserving cases. [99] These small sums, however, must have done little to offset the hardships caused to those families who had lost breadwinners as a result of the shootings. In the final analysis, the Government's

[95] CeA, NTS 7657 3/332, Copy of document headed 'Resolutions from the Recent Annual Conference of the Above Organisation [ICU]; Cape Times 22 January 1923, cited in Wickins, 'The ICU of Africa', p. 219.

[96] Ans. 143 - 1921, p. 9 (para. 68).

[97] CeA, NTS 7657 3/332, Letter from the Secretary for Finance to the Mayor, Port Elizabeth, 7 February 1922.

[98] Wickins, 'The ICU of Africa', p. 212.

[99] Cape Times 22 January 1923.

dilatory attitude and inept handling of the issue of compensation must be regarded as a major factor in alienating Port Elizabeth's black community still further.

If (as it has been argued) the responsibility of Smuts's Government for the shooting was limited by virtue of the relative autonomy of local government, there can be no denying its responsibility for subsequent developments in the affair. With the appointment of a Commission of Enquiry into the shooting, the Government did acknowledge a measure of accountability of the police to the public for their actions. However, in allowing the police to defend their actions, the Government compromised the findings and undermined the status of the Commission. By not distancing itself from the abuse of police powers, the Government failed to distinguish between the upholding of law and order as a legitimate function of the state, and the improper use of force. In fact, by not taking disciplinary action against the police, the Government effectively endorsed the shootings, and the structural or institutional violence of repression.

Chapter 6: The History of the PEICWU/ICU After the Shootings

This chapter will examine the ramifications of the 1920 shootings on Port Elizabeth's black trade union movement. It was the opinion of Kadalie that "with blood the ICU was set on its way to work for the amelioration of African labour".<sup>[1]</sup> While the victims of the shootings might arguably be regarded as the first martyrs of the black labour movement, the Union's contribution to improving the material and social conditions of its members was negligible in the longer term. This sketch of the history of the Port Elizabeth Union after the 1920 shootings will suggest that the incident tended to cast a long shadow over subsequent developments.

ICWU Feuding

As we have seen, wage disputes between both white and black municipal employees had not been resolved immediately after the shootings. The disputes with the (white) PEMEA was only settled following a strike between 15 and 23 December 1920. The City Council agreed to an effective, 41% cost of living bonus, early in the new year.<sup>[2]</sup> As a result of not obtaining a similar offer from the Council, the PEMCNEA threatened to call a strike at the end of January. Dr Abdurahman, who was in Port Elizabeth at the time, agreed to make representation to the Council on behalf of the workers.<sup>[3]</sup> The Council eventually acceded to a graded bonus of between 6d. and 1s.6d., based on current wages. The agreement was made with the proviso that the Council would only grant the bonus if the estimates for the financial year were not exceeded.<sup>[4]</sup> Despite reservations, the PEMCNEA accepted the offer. As far as can be ascertained, the PEICWU was not a factor in the foregoing negotiations. This would suggest that if the PEICWU had exercised any influence on the black trade union movement, it had waned after the shootings.

[1] C. Kadalie, My Life and the ICU, p. 52.

[2] EPH 7 and 8 January 1921 ('The Municipal Dispute').

[3] EPH 1 February 1920; Simons & Simons, Class and Colour, p. 241.

[4] CAD, 3/PEZ 1/1/1/32, Minutes of the City Council, pp. 25-27, 35-6.

It was against the background of the Port Elizabeth shootings that Smuts had announced that a General Election would be held in February 1921. After fusion with the Unionists, Smuts hoped to obtain a sufficiently large parliamentary majority to offset the Nationalist gains of the previous year. With black voters comprising a significant proportion of the electorate in some Cape constituencies, it was perhaps inevitable that the ICWU should see itself as a political pressure group. During a visit to Port Elizabeth, S M Bennett Ncwana, <sup>[5]</sup> editor of the ICWU organ, The Black Man, was perturbed by the political stance of the local Union. In a letter to the EP Herald, he argued that the appointment of Abdurahman to the Schweizer Commission and the cancellation of Kadalie's deportation order, were "evident signs of some change in the policy of our present Government which should not be treated lightly". He termed the Labour Party 'deceivers', and stated that for a black man to vote for the Nationalists was an act of treachery. Ncwana cited, with approval, a resolution passed by the Oudtshoorn, Desselldorf and Mantjies River branches of the ICWU pledging support for Smuts's S A Party. <sup>[6]</sup> Thus, in spite of the Port Elizabeth shootings, moderate black political opinion, within the labour movement still supported the SA Party during the 1921 Election campaign.

Ironically, statements issued by certain black political organisations, generally considered more conservative than the ICWU, were more condemnatory and couched in terms of the class analysis of South African society. For instance, the Cape Native Congress had called the tragedy "a direct result of the short-sighted policy of capitalism, which persistently refuses to recognise the reasonable demands of the largest community of labourers for better economic

[5] Ncwana had initially opposed the Cape Town ICU's ties with the national ICWU, but after the July 1921 conference deserted the ICU. He was appointed Governor-General of the ICWU until he was suspended in 1925. Eventually he moved to PE and became General Organiser of the Cape Native Voters' Association. See Wickins, 'The ICU in Africa', *passim*; Hill and Pirio, 'Africa for the Africans' in Marks & Trapido (eds), Politics of Race, Class & Nationalism, pp. 217-222.

[6] EPH 4 January 1921.

conditions". It registered its protest "against these shootings of our people, as well as against the the whole social, economic and political system in vogue in this country" and called for a 'radical change' to the whole system.<sup>[7]</sup> The Transvaal Native Congress also adopted a resolution condemning the actions of the authorities but did not call for such far-reaching changes to the country in the same breath.<sup>[8]</sup> In his 1921 Presidential address to the Cape Native Congress, Rev Z R Mahabane commented that the 'ill-advised' arrest of Masabalala resulted in:

"the unscrupulous and callous murder of 23 Natives and coloured men and the unnecessary deaths of three innocent Europeans... For the loss of so many precious lives the employers of Port Elizabeth, by reason of their turning a deaf ear to the claims of their employees, are primarily responsible for the 'contributory causes' of the tragic happenings of the black 23rd day of October 1920."<sup>[9]</sup>

While Mahabane singled out employers as the villains of the piece, many critics considered that the Smuts Government was directly to blame for the shootings, and consequent loss of life.

It was perhaps for this very reason that Masabalala lent his support to the opposition Nationalist Party during the 1921 Election campaign in its bid to win support amongst black voters. Towards the end of January he took the platform at Enon, a 'Coloured' mission station near Uitenhage, and was reported by Reuter to have said that:

"God could not help the native and coloured people, nor could his angels; but only the Nationalists could do so... if the Nationalists got into power the coloured people would be given rifles and the Kaffirs and Boers would unite..."<sup>[10]</sup>

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- [7] Cape Times, 1 November 1920. The report does not specifically say the meeting at which the resolution was passed was held under the auspices of the Cape Native Congress, but a meeting of Peninsula Natives presided over by Rev Z R Mahabane who was President of the local Native Congress.
- [8] CeA, SAP 39 6/658/18/2 and JUS 289 3/1270/20, Report of meeting by Native Detective; Rand Daily Mail 29 October 1920.
- [9] Karis and Carter, From Protest to Challenge, v.1, p. 291.
- [10] EPH 27 January 1921; Wickins, The ICU of Africa, p. 63.

Although the two men had their differences, Alfred Sidzumo, who had acted as interpreter at the Enon meeting, claimed that Masabalala had been misreported.<sup>[11]</sup> If Sidzumo was correct, it was an attempt either to discredit the Nationalists or Masabalala (or both). Sidzumo's attempt to salvage something from the awkward predicament in which this speech, or at least its adverse publicity, had landed the Union, was unsuccessful. Yet, to have dissociated himself from Masabalala's statement would only have exacerbated the differences amongst the Union's leadership, and reduced its chances of reconsolidation in the aftermath of the shootings. As it was, the mere fact that Masabalala had lent his support to the Nationalists, scandalised many Blacks, not least of all Kadalie, who labelled Masabalala 'one of the misguided leaders of the black races'. He also expressed righteous horror at the "idiotic and obnoxious action adopted by Mr Masabalala in advising the natives and coloured electors to vote for a Nationalist Government".<sup>[12]</sup> Ironically enough, not only was there a *rapprochement* between the two men, but Kadalie was himself to approach Hertzog nearly six months later and seek Nationalist financial support [see below p. 172].

It was undoubtedly no coincidence, that shortly after the Enon speech, Msimang made a reappearance in Port Elizabeth, and reportedly reassumed the role of chief spokesman for the local Union. It is likely that Sidzumo had again summoned Msimang to Port Elizabeth in order to exert his restraining influence on Masabalala, and save the Union from further embarrassment. Nowana's criticisms of leaders, who alienated white sympathisers and 'respectable members of the black community',<sup>[13]</sup> would appear to have been vindicated by Masabalala's irresponsible actions. Not only was Masabalala derided by fellow ICWU leaders for his opportunism and equivocation, but he also invited the scorn of the

[11] EPH 29 January 1921; Wickins, The ICU of Africa, p. 63.

[12] Cape Times 31 January 1921; Wickins, The ICU of Africa, p. 63.

[13] EPH 7 January 1921.

APO as well. In a letter to that organisation's journal, in which he slated the 'bloodthirstiness of the capitalist class of Port Elizabeth', the following editorial comment was appended:

"Masabalala had been discredited by his own people in his own district for his political eccentricity, he now wishes to court favour elsewhere and to rehabilitate himself by a belated letter of thanks to those who sympathised with him and who contributed to the maintenance of those who were shot last October."<sup>[14]</sup>

He was accused of ruining the PEICWU, and of giving Kadalie's ICU cause for disassociating itself from the national union. He was, furthermore, accused of exploiting and misrepresenting the events of 23 October in order to 'reinstate himself in the position from which he had fallen'.<sup>[15]</sup>

In a further, and possibly related development, a notice appeared in the local press which announced that Masabalala had been deprived of the presidency of the PEICWU.<sup>[16]</sup> However, two weeks later, it was announced that those responsible for the action against Masabalala, had no authority to speak on behalf of the Union, and that they - who numbered amongst them the Treasurer, Kettledas - had been disciplined appropriately.<sup>[17]</sup> Further hints that the Union was in disarray, included the fact that a group from New Brighton had formed its own committee after dissatisfaction had been expressed with the control and use of Union's funds. It is possible that Masabalala actually held greater sway over the (Coloured?) people of Korsten, amongst whom he lived. According to a police report, Masabalala, who 'did not appear popular', merely accompanied Msimang, who was the main speaker at PEICWU meetings.<sup>[18]</sup> During April, they both addressed meetings at Grahamstown, but there was apparently an attempt by certain of the elder generation to resist the spread of the Union's influence amongst their people. Nor was Masabalala granted permission by

[14] Cited in EPH 8 March 1921.

[15] EPH 8 March 1921.

[16] EPH 17 March 1921.

[17] EPH 31 March 1921. Letter signed by A Sidzumo, the Secretary.

[18] CeA, JUS 267 3/1064/18, Report by the Commissioner of Police to the Secretary for Justice, 23 April 1921.

headmen in the Peddie district to address meetings, in what amounted to an unsuccessful tour of Port Elizabeth's hinterland.<sup>[19]</sup>

The Bulhoek 'massacre' of 24 May 1921 seemed to provide affirmation that the Smuts Government was intent on crushing any form of black resistance. The South African Native National Congress (SANNC), which happened to be holding its annual conference at Bloemfontein at the time, passed resolutions which denounced police actions, which were viewed in a similar light to the Port Elizabeth shootings of eight months previously. Masabalala, who was present at the SANNC conference, presented a report back of the proceedings at a public meeting, held in Korsten on 5 June 1921. A resolution was passed which "deplored the actions of the Government Forces at Bulhoek by shooting over a hundred religious fanatics without exercising all its possible discretion of the Common Law".<sup>[20]</sup> The EP Herald reported in the same edition that 'the notorious native agitator' had indulged in a drunken spree on the night of the Korsten speech. Masabalala's speech was portrayed as the 'vapourings' of an 'unbalanced mind'. It was stated that:

"As a native leader he has shown himself to be a man of extreme views...and responsible native opinion in these parts has long since disassociated itself from his activities and views. His chief occupation today appears to be seeking a means of stirring up strife."<sup>[21]</sup>

His intemperance made him easy prey for a hostile press, and his conduct made him his own worst enemy. All in all, Masabalala seemed incapable of avoiding controversy which discredited the PEICWU.

Parliament had not been in session at the time of the Port Elizabeth shootings, and the Commission's Report was only debated after the Bulhoek affair. The latter incident provided Smuts's political opponents with further ammunition for criticism and condemnation. In

[19] CeA, JUS 267 3/1064/18, Report by the Commissioner of Police to the Secretary for Justice, 29 April 1921.

[20] CeA, JUS 269 3/1064/18, Report by the Commissioner of Police to the Secretary for Justice, 30 June 1921.

[21] EPH 7 June 1921.

the debate in the House of Assembly, J B M Hertzog, leader of the National Party, argued that political and labour unrest among Africans since the First World War should have impressed all that the rising consciousness of blacks had to be addressed positively:

"Unless the Government took up a stand and came forward with a policy, Bulhoek and Port Elizabeth would only be precursors of far more serious happenings. Port Elizabeth presented one phase, Bulhoek another, but behind it all was ... a spirit in the native population which now came into conflict with the individual European; then with the authorities...

By ignoring that spirit they would not kill it; they would merely strengthen it; the spirit was one which neither the present Government nor any other authority could ever suppress...

But they must cope with it; they must lead it in the right direction, and unless they did so, a condition of affairs would be created in which affairs such as those at Port Elizabeth would be only small incidents." [22]

Hertzog seemed more concerned with the need to point out the perceived dangers of Smuts's native policy than with the nature and the legitimacy of black grievances. His response to Kadalie's letter, wherein the ICU leader endorsed Nationalist policies and appealed for a contribution to an ICU fund for the Bulhoek victims, must be regarded as little more than political opportunism. Hertzog responded with a token donation of a guinea, which accompanied his celebrated reply, in which he spoke of 'our common endeavours', and the necessity for 'faith in and sympathy with one another' on the part of 'the white and black Africander'. [23]

#### The Alliance with Kadalie's ICU

At the second national conference of the ICWU, held at Ndabeni in Cape Town during July 1921, Msimang called for constructive endeavours to promote moderation and conciliation. In his opening address he criticised the behaviour of the 'hot-heads' in the black

[22] House of Assembly Debates, 24 June 1921 (Cape Times), p. 270.

[23] C Kadalie, My Life, pp. 58-9; Wickins, The ICU of Africa, p. 66.

labour movement, who embarked upon premature and ill-organised strikes, and indulged in "wild talk which serves merely to rouse the passions of the people".<sup>[24]</sup> Demonstrations of sympathy and frequent references to the Port Elizabeth tragedy by speakers showed that it was still an emotive issue.<sup>[25]</sup> Masabalala, himself, indulged in a harangue in which he constantly stressed the sacrifice he had made for the people. He claimed that all the Port Elizabeth workers had asked for was food because they were starving, and that he had exhausted constitutional procedures in trying to impress upon employers, and the general public, the plight of his people. He had been arrested because he was the mouthpiece not only of the people, but of 'a good many native chiefs', for which he had been victimised. The workers had approached employers in good faith, as children would approach a father, but the Government had betrayed their trust. Instead, the "only reply they got from the Government was through the machine [sic] guns which killed 150 [sic] persons". Masabalala was not even beyond engaging in wild exaggeration in order to stress his own importance. Directing his closing remarks at the policemen in attendance at the meeting, he declared that no amount of intimidation would prevent him from addressing his own people in his own country.<sup>[26]</sup>

Msimang's presidential speech dwelt on the theme of the need for moderation and constraint in the handling of labour relations. It can be inferred that he was castigating Masabalala when he commented that, "some of the leaders of the people whose system and manner of speech at public meetings seemed to take up a tone that made things difficult even for the most sympathetic of our enemies to think kindly of them". He emphasised the necessity to abandon a sterile conflict with constituted authority, to seek remedies for grievances

[24] EPH 21 July 1921; Cape Times 23 July 1921; Wickins, The ICU of Africa, p. 64. Full text published in S. Johns, From Protest to Challenge, Vol 1, pp. 317-320.

[25] Cape Times 22 and 27 July 1921; Ilanga lase Natal 29 July 1921; Imvo 2 August 1921; Wickins, The ICU of Africa, p. 63.

[26] PEA 30 July 1921; Cape Times 26 July 1921; Wickins, The ICU of Africa, p. 64.

in self-help, and to avoid 'wild phrases and flowery words'.<sup>[27]</sup> Wickins concludes that the speech amounted to a veiled attack on Masabalala, especially of his 10s. a day minimum wage campaign.<sup>[28]</sup> Msimang's words only served to confirm his own view, that the threatened rift in the ranks of the ICWU was beyond healing, and he had resigned himself to this fact. The fragmentation of the ICWU destroyed Msimang's dream of a strong national labour movement, and he resigned his position as national President.<sup>[29]</sup> When Kadalie assumed his mantle, he did not assume leadership of the ICWU but of the national ICU; which was and was to remain, a distinct union.<sup>[30]</sup> Whilst the ICWU faded into virtual obscurity, the ICU was to grow at a phenomenal rate.

It must be surmised that the differences which had existed between Msimang and Masabalala, ever since the former had stepped into the breach in Port Elizabeth, during the latter's confinement, now came out into the open.<sup>[31]</sup> It would also appear that during the Ndabeni conference, there was some behind-the-scenes contact between Kadalie and Masabalala. In his only appearance, Kadalie used the same platform as Masabalala, in order to explain why he had taken no part in the ICWU Conference. He gave as his principal reason, the fact that the ICU stood for 'constitutionalism', which Wickins interprets to mean that this was his way of criticising Msimang for 'a breach of constitutional propriety' in hijacking the presidency of the ICWU at Bloemfontein the previous year - a fact which still rankled with Kadalie.<sup>[32]</sup> In any event, Masabalala defected to Kadalie's ICU,

[27] Cape Times 27 July 1921; Wickins, The ICU of Africa, p. 65.

[28] Wickins, The ICU of Africa, p. 64.

[29] In a number of interviews, Msimang claimed, incorrectly, that he had resigned soon after the inauguration conference of July 1920 in order to prevent the threat of a split with Kadalie materialising. In his Reminiscences, he claims to have acted altruistically, so as to preserve the unity of the ICWU when he "handed over the Bloemfontein group and resigned...never to take an interest in the ICU again." Cf. Johns, From Protest to Challenge, Vol 1, p. 155.

[30] Wickins, The ICU of Africa, pp. 66-8 provides evidence to suggest that the ICWU maintained a separate existence until as late as 1927.

[31] Cape Times 23 July 1921; Wickins, The ICU of Africa, p. 64.

[32] Cape Times 26 July 1921; Wickins, The ICU of Africa, pp. 64-5.

and must have taken the majority of the Port Elizabeth Union's leadership along with him. The defectors subsequently dissociated themselves from the ICWU Conference, and made plans to convene a conference at Port Elizabeth instead.<sup>[33]</sup>

The Port Elizabeth Conference was held to coincide with the first anniversary of the shootings. The conference was opened on Saturday 22 October 1921, and the following day a procession of several thousand people, led by a band, made its way from the ICU Kopje in Korsten, to the North End cemetery where a commemoration service was held. Kadalie described how he addressed a large crowd on the Monday afternoon in the Market Square, the scene of the shootings the previous year.<sup>[34]</sup> Kadalie had either a poor, or a selective memory, for it is unlikely that the authorities would have countenanced such a meeting. A newspaper report confirms that this meeting was held at the Kopje on the Sunday afternoon, and not the Market Square on a Monday, as Kadalie would have us believe. Moreover, Kadalie was only one of a number of speakers who addressed the crowd and exhorted them to remember those who had lost their lives in the tragedy.<sup>[35]</sup> What is even more surprising, is that Kadalie makes no mention of the proceedings of the Conference in his autobiography. Its significance in establishing an organisation to rival, and eventually eclipse the ICWU, cannot have failed to escape him at the time, let alone with some hindsight.

The main business of this so-called 'amalgamation' Conference was to formalise the establishment of closer links between the respective unions in the Western and Eastern Province. Aside from delegates from Cape Town and Port Elizabeth, a contingent from Lüderitzbucht in South West Africa (Namibia) was also present. The election of office bearers testified to the fact that the ICU was based largely on a

[33] Ilanga lase Natal 27 January 1922; Wickins, The ICU of Africa, p. 65.

[34] C. Kadalie, My Life and the ICU, pp. 51-2; Cape Times 26 October 1921.

[35] EPH 25 October 1921.

Cape Town-Port Elizabeth axis. William Fife, J G Gumbs and Kadalie, all of the Cape Town branch, were elected President-General, Assistant President-General and General Secretary, respectively. The Port Elizabeth members of the Supreme Executive Council included Masabalala as Organiser-in-Chief, Rev E Mpinda as Junior Vice-President and Messrs D Heilbron and J Maqubela. Port Elizabeth was to elect the Assistant General Secretary, but it is not certain who held the post before the appointment of James la Guma in 1923. [36]

The next task of the conference was to approve a new constitution for the ICU [see Appendix F]. According to the Rules and Regulations, the government of the Organisation was vested in an Executive Council. The local branches, which were to be regulated and controlled by District Committees would seem, in practice, to have remained virtually autonomous, although, in theory, they were subordinate to the Executive Council. [37] The Executive Council exercised full control of the branches, with "the power to give or withhold approval of any rules already existing or hereafter passed by the branches". [38] Aside from a capitation fee which had to be remitted to Head Office, the branches had to manage their own funds. It was decided to introduce a system of proportional representation for branches at the annual conference, to prevent the loading of the meeting by the host branch. This clause was probably included to prevent a recurrence of the Bloemfontein Conference, where Msimang had secured nomination to the presidency and Kadalie had returned to Cape Town without being elected to any office in the ICWU.

[36] Originally from Lüderitz, la Guma was appointed Assistant General Secretary in 1923 after a spell as PE Branch Secretary. Wickins (p.66), following Kadalie (*My Life*, p. 53) assumes that he was transferred to PE after the 1921 Conference. However, la Guma was still listed as a representative of Luderitz as late as January 1923 (*Cape Times* 23 January 1923). It is possible that he succeeded Sidzumo who was suspended in March 1923 [see p. 178].

[37] Wickins, *The ICU of Africa*, p. 66.

[38] CeA, NIS 7657 3/332, Rules and Regulations of the ICU adopted at the PE Conference, 24 October 1921.

With the approval of the constitution of the enlarged ICU behind them, the delegates turned their attention to other issues. Resolutions were passed calling for an end to the contract labour system, which the delegates regarded as a device used by employers for undercutting the wages of black urban labour.<sup>[39]</sup> Further resolutions demanded an investigation into the the conditions of black miners in the Transvaal and in South West Africa; called for the repeal of the pass laws; demanded black representation at the International Labour Conference; condemned the farmers of the western Cape for practising the tot system, and not providing their labourers with decent accommodation. These resolutions were much the same as those at previous ICWU conferences. A specific local issue also received their attention. A demand for a decrease in the working hours for blacks employed in Port Elizabeth, had arisen in response to a move by the Harbour authorities to enforce longer working hours, without commensurate remuneration. This had led to strike action by the harbour workers between 15 and 20 September, but the Railway and Harbour Board had insisted on (and obtained) a return to work as a precondition for wage negotiations.<sup>[40]</sup> This, in itself, suggests that the bargaining power of the black workers had been decidedly reduced. Furthermore, it was apparent from the debate that not all those on strike had been members of the Union, a fact which brought home the need of complete working class solidarity before Port Elizabeth's general labour unions could become effective.

The only difference of opinion, which surfaced towards the end of the Conference, had to do with the question of political affiliation. The Port Elizabeth delegates were in favour of rendering support to the Labour Party.<sup>[41]</sup> which suggests that Masabalala's flirtation with the Nationalists had been in a personal capacity (the Nationalist-Labour 'Pact' had not yet been forged). On the other hand, the Cape

[39] Cape Times 26 October 1921; Wickins, The ICU of Africa, p. 65.

[40] EPH 17, 19 and 20 September; 26 October 1921.

[41] The Conference had been opened by D M Brown, SA Party MLA for Three Rivers, the constituency which included the majority of PE's black voters.

the Cape Town delegates, who had supported the SA Party in the February Election, were opposed to any commitment to the Labour Party as long as the white trade union movement (especially in the Transvaal) approved the industrial colour bar. Whatever Masabalala and Kadalie's private views on the matter, neither man came out in support of renewed contacts with the Nationalists when the mood of the meeting was quite clearly against it. For, however disenchanted black opinion was with the ruling party of Smuts, it obviously could not condone support for Hertzog. After protracted debate, it was decided, by a narrow majority, to postpone any decision upon political affiliation and opt for a neutral stance until such time as a clear stand could be supported by the ICU. [42]

In May 1922, an ICU delegation met with the Minister of Mines and Industries, F S Malan, and reported on the resolutions taken at the Port Elizabeth conference. Amongst other things, Kadalie urged Malan to recognise his Union's claim to represent the majority of workers in the country. [43] It was resolved at the 1923 conference that the ICU would dissociate itself from any political body, and declared that its objectives were 'solely to propagate the industrial, economic and social advancement of all African workers through industrial organisation on constitutional lines'. [44] Although the ICU constitution specifically eschewed political involvement, the nature of its concerns caused it, almost inevitably, to become a political pressure group.

Masabalala, meanwhile, had left Port Elizabeth for Cape Town, to take up his post as Organiser-in-Chief of the ICU. His office involved him in the day-to-day running of the Organisation to a far greater extent than all other members of the Executive Council, with the exception of the General Secretary. He was required to open new and visit existing branches, which involved him in a fair amount of

[42] Cape Times 26 and 29 October 1921; Wickins, The ICU of Africa, p. 66.

[43] S.W. Johns, 'The Birth of Non-White Trade Unionism in South Africa', Journal of Social Issues, 23, 3 (1967), p. 187.

[44] Cape Times 23 January 1923.

travelling.<sup>[45]</sup> He was reported to have travelled as far afield as Kimberley and Bulawayo,<sup>[46]</sup> places where he had worked at various stages of his life. He addressed a series of meetings in the Cape Peninsula.<sup>[47]</sup> In February 1922, Masabalala and other ICU leaders appeared on the same platform as white Labour politicians at a meeting in Cape Town.<sup>[48]</sup> Masabalala was known to be a good orator, and his involvement in the national organisation made him a prominent figure in the ICU.

In spite of the appointment of a Finance Committee to oversee the handling of finances by the Branch Secretary, this did not prevent the frequent irregular use of Union funds. The Port Elizabeth branch was no exception, and in March 1923 Sidzumo was tried on a charge of stealing £149.6s. from the Union. Although Sidzumo admitted having received funds belonging to the Union, it had not been charged that he was in the employ of the Union and had embezzled moneys which were the property of his employer. It would appear that he was acquitted on grounds of a technicality: while charged with the theft of a specific sum, he was found to have been guilty of 'general deficiency' and negligence for not having kept adequate records.<sup>[49]</sup> Both Kadalie and Masabalala were summoned to appear on behalf of the Crown and the General Secretary recalled:

"When the case of the Port Elizabeth [branch] was heard in the Supreme Court [sic], I remember being severely cross examined by the Jury on our system of allowing Branches to control their own funds without check by Head Office. It was also suggested by the learned judge that centralisation of funds should be immediately considered by our National Council [sic]."<sup>[50]</sup>

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- [45] CeA, ARB 713 1054/25, Rules and Regulations of the ICU adopted 24 October 1921, p. 11. See Appendix G.
- [46] CeA, JUS 269 3/1064/18, Report by the Commissioner of Police to the Secretary for Justice, 30 November 1921.
- [47] CeA, JUS 269 3/1064/18, Report by the Commissioner of Police to the Secretary for Justice, 31 January 1922.
- [48] Wickins, 'The ICU of Africa', p. 216.
- [49] Law Reports, Eastern Districts Local Division: Rex vs Sidzumo (1923), p. 231; Wickins, 'The ICU of Africa', p. 193.
- [50] Manifesto of 9 July 1928, cited in Wickins, 'The ICU of Africa', p. 193. The passage of time had obviously played havoc with Kadalie's memory. He had appeared before the Eastern Districts Circuit Court and control of the ICU at the time was vested in an Executive Council. Moreover, the terms of the 1921 Constitution distinctly made provision inspecting and auditing the books of the branches on a regular basis. See Rules and Regulations' of 24 October 1921, p. 8.

Sidzumo was suspended as Branch Secretary for negligence and dishonesty, despite the findings of the court. He later sued the ICU for unlawful dismissal and claimed £96 for arrears in salary which included £8 *in lieu* of the organisation's failure to provide proper notice of his dismissal. The outcome of this case would seem to suggest that Sidzumo won the appeal.<sup>[51]</sup>

During the 1924 Election campaign the ICU entered into an ill-judged and one-sided partnership with Hertzog's National Party. In May 1924 an ICU delegation, which included Kadalie and Masabalala, had attended the SANNC Conference in Bloemfontein, where they supported a resolution to support the 'Pact' in the forthcoming general election. While in Bloemfontein, they held a meeting with Hertzog, who agreed to sponsor an election edition of the ICU newspaper, The Workers' Herald.<sup>[52]</sup> Later the same month, Kadalie and Masabalala sought support for their alliance with Hertzog at the All-African Convention in King Williams Town, on the grounds that the 'Pact' was prepared to endorse an ICU manifesto.<sup>[53]</sup> While Wickins, perhaps understandably, finds difficulty in understanding Kadalie's justifications for supporting the 'Pact',<sup>[54]</sup> it must not be overlooked that he was in a position to judge the track record of the SA Party and, like the 'Pact', considered ousting Smuts his first priority.<sup>[55]</sup>

In December 1924 Masabalala was dismissed from his post, following complaints from the East London and King William's Town branches. A rather cryptic statement attributed his dismissal to 'negligence and carelessness', and 'for falling into his old habit of spoiling the

[51] PEA 27 October 1923; Wickins, 'The ICU of Africa', p. 193.  
 [52] Wickins, 'The ICU of Africa', pp. 230-1.  
 [53] *Ibid.*, p. 232ff.  
 [54] *Ibid.*, pp. 236-7.  
 [55] Johns, From Protest to Challenge, Vol 1, p. 155.

work done by others'.<sup>[56]</sup> This is possibly better understood in the light of the following rather partisan comment by Kadalie:

"As an administrator of an organisation he [Masabalala] was wholly unsuited. He was also deficient in many other qualities that make up good leadership."<sup>[57]</sup>

It would appear that it was not only Masabalala's abilities which were at issue. There was also the hint of an underlying personality clash, or perhaps the organisation did not have room for two ambitious men. A police report stated that the dismissal of Masabalala, who had a strong local following, was much resented in Port Elizabeth and that the PE Independent Workers' Union was established with the object of exposing "the internal affairs of the ICWU [sic]".<sup>[58]</sup> Unfortunately, no further information about Masabalala's independent union has come to hand. Neither is much known about his subsequent activities; only sufficient to suggest that he had one foot in the labour movement and the other in the world of protest politics. He evidently became involved in the African National Congress, and in 1929 joined the staff of its newspaper, Abantu Batho.<sup>[59]</sup> Meanwhile, the fortunes of the PEICU went from bad to worse.

#### The Demise of the PEICU

In 1926 the Assistant General Secretary of the ICU, James la Guma, paid a visit to the Port Elizabeth branch. He filed a report in which he stated that its affairs were 'in a deplorable state'. He pinpointed the problem to the fact that the (unnamed) Provincial Secretary acted in the capacity of a Branch Secretary, and exercised powers which had not been accorded him by the constitution. In terms of the constitution, the Branch Secretary was subordinate to the

[56] The Workers' Herald 9 January and 15 May 1925, cited in Wickins, "The ICU of Africa", p. 192.

[57] C. Kadalie, My Life and the ICU, p. 53.

[58] CeA, JUS 289 3/1064/18, Report of the Commissioner of Police to the Secretary for Justice, 3 March 1925.

[59] Mweli Skota, African Yearly Register, p. 187.

Executive Committee, a matter which La Guma claimed to have settled to the satisfaction of all concerned prior to his departure. Another matter which received his attention was the request by the Executive of the New Brighton branch, which was regarded as a sub-branch of the main Port Elizabeth branch, for 'independent status'. Representatives from New Brighton considered it to be in the interests of both branches for their branch to have a greater measure of autonomy, because of their 'different peculiarities and psychology', and as 'an incentive to their [separatist?] aspirations.<sup>[60]</sup> La Guma could only provide an assurance that he would convey their wishes to the Provincial Secretary, and that the matter would receive the attention of the National Council. By the end of the 1920s, the ICU was a spent force in Port Elizabeth.

When Kadalie visited Port Elizabeth in late 1934, he held a series of meetings in Korsten which were poorly attended - the first attracting about 50 people, but dwindling to a handful at later meetings. A meeting for dockworkers was not attended at all. Kadalie obviously wished to get local blacks to link up with his Independent ICU in East London which had already faded into insignificance.<sup>[61]</sup> He met with little success. Suspicions about Kadalie's motives for collecting money were expressed, and one meeting broke up in disorder after it became apparent that his presence in Port Elizabeth was not welcome. At one stage Kadalie went as far as to request police protection because his meetings were being disrupted. Comments cited in police reports of the meetings seem to suggest that the ICU was no longer active in Port Elizabeth, and that these outsiders were attempting to revive it.<sup>[62]</sup>

[60] CeA, JUS 289 3/1064/18, 'General Secretary's Report of Inspection of Branches', 6 March 1926.

[61] For an account of this Union, see Beinart and Bundy, 'The Union, the Nation and the Talking Crow' in Hidden Struggles in Rural South Africa, pp. 270-320.

[62] CeA, NIS 20/328, Reports of a series of meetings held by Kadalie in Korsten on 27, 28, 29 and 30 November 1934 which were enclosed with a letter from the Commissioner, SAP to the SNA, Pretoria, 15 December 1934.

Although the reaction to the hardships of everyday experience provided grievances, which could provide rallying points for the mobilisation of workers, the long term success of the black labour movement is dependent on the day-to-day functioning of the Union. It has been suggested that the PEICWU was ineffectual in securing wage increases for its members. Any increases were in spite of, and not because of the Union. Whilst it succeeded in bringing worker grievances to the attention of employers and local authorities, it did not have much bargaining power. It was effectively neutralised by the post-war socio-economic conditions, and the repression of labour unrest. In fact, the shootings of 23 October 1920 dealt a harsh blow against the PEICWU, from which it never really recovered.

Over and above the external factors which contributed to its demise, the Union had internal weaknesses. Divisions in the ranks of the Union's leadership, which pre-dated the shootings, eventually resulted in irredeemable splits. Masabalala was a popular figure amongst the rank and file of the movement, but his many indiscretions served to alienate him from certain other leaders in the PEICWU. Nevertheless, his departure from Port Elizabeth left a gap which could not be filled. Masabalala is best remembered as a labour leader whose name became virtually synonymous with the ICWU/ICU in Port Elizabeth. While his legacy to the labour movement was of dubious value, and might even have been counter-productive in the long-term; for a brief moment in its history, he shared in, and identified with the experiences of the working classes, providing leadership and acting as a mouthpiece. But the fortunes of such a movement are not tied up entirely with one man. Thus, the rise and fall of the first general labour union in Port Elizabeth, can be viewed as a product of a particular historic configuration of circumstances.

### Conclusion

In the first century of its existence, Port Elizabeth underwent a transformation from an entrepôt to a commercial and industrial city. Industrialisation necessitated a much larger and more stable supply of labour than was needed by trade and commerce. The division of labour reflected the stratification of a society in which race and class overlapped extensively. Whilst skilled labour generally remained the preserve of the white settler population, unskilled labour was provided largely by the indigenous population. Only a small proportion of black (mainly 'Coloured') workers were skilled and joined the ranks of organised labour. Although there were no permanent labour organisations for the unskilled before 1919, black workers had participated in periodic strikes and work stoppages [see Chapter 3]. While this tradition of worker resistance promoted unionisation, the formation of the PEICWU marked a new departure for Port Elizabeth's black unskilled workers.

It has been my argument that war time industrialisation and proletarianisation created a significant organisational base for unionism in Port Elizabeth. The proportion of permanent African residents, many of whom were second or third generation by the 1920s, was possibly unparalleled elsewhere in the Union [see p. 45]. Within the African community specifically, a dichotomy between the petty bourgeoisie and working class is usually predicated. There has been a tendency to see the semi-skilled, urban dwellers as aspiring to the ranks of the petty bourgeoisie, or being drawn into the ranks of the working class: as if they have no particular niche of their own in society. It is my contention, that this middle stratum, comprised a significant class in Port Elizabeth's African community. Equally significantly, the position of the small petty bourgeois élite was gradually undermined by attempts of the state to impose greater control over the urban African classes [see p. 55]. Thus, class divisions became particularly blurred in the post-war period. The events of 1918-20 have shown that the moderate petty bourgeois

leadership of the African community was eclipsed by a more 'radical' faction [see Chapter 3]. Certain elements of the petty bourgeoisie were radicalised and identified with the working class. It is arguable, that whilst the middle stratum may not necessarily have provided the leadership of the PEICWU, it certainly provided a large proportion of the membership.

The composition of the PEICWU/ICU leadership, which presumably reflected that of the membership, included a significant number who would probably have been classified as 'Coloureds'. This study has suggested that the Union was able to bring together, albeit momentarily, Port Elizabeth's underclasses and that it is valid to talk of a black community. This was probably because post-war socio-economic conditions proved a great levelling factor, and created a climate conducive to inter-racial and cross-class mobilisation. This would seem to be confirmed by the fact that a good proportion of the demonstrators outside the Baakens Street Police Station on the afternoon of 23 October 1920 were 'Coloureds' [see p. 106]. Also, more than half of those shot dead were 'Coloureds' [see p. 121]. Whilst it would appear that 'Coloured' and African unskilled workers made common cause, racial differences were accentuated by the policy of segregation and ethnic political organisations. The PEICWU was able to overcome these cleavages to some extent, but it was still partly captive to the ideology of the dominant classes. The fact that Union meetings were generally held in both New Brighton and Korsten was not only for the sake of convenience, but to cater for two distinct constituencies with different degrees of group identity. These differences eventually became marked enough to lead to the creation of separate branches of the ICU [see pp. 170, 182]. Thus, the internal weaknesses of the PEICWU was partly due to the many contradictions underlying South African society.

The PEICWU was part of a nation-wide phenomenon, in the sense that in the early 1920s most ICU activity was centred in the cities. It has been argued that, as a self-conscious trade union, the ICU failed to

grasp the opportunity to organise its potentially largest constituency, namely, the industrial proletariat.<sup>[1]</sup> Bonner has since developed a far more complex and subtle argument to explain the failure<sup>[2]</sup> of black trade unionism in the immediate post-war period, which I have utilised in a modified form. Conversely, it has been argued that secondary industry had not been established on any appreciable scale in South Africa by the 1920s, that the African labour force in manufacturing was relatively small, and that black trade unionism had no significant urban base. The rapid expansion of the ICU in the countryside in the mid-1920s is attributed to the fact that the ICU appealed primarily to a rural constituency, because of the underdevelopment and increasing impoverishment of the reserves.<sup>[3]</sup> As was the case in the urban areas in the early 1920s, the impact that the ICU had in rural areas in the late 1920s was short-lived.

With hindsight, it is possible to argue that the 1920 disturbances might have been averted if wisdom had prevailed. Port Elizabeth's local authorities had hoped that the arrest of Masabalala would have the effect of pre-empting the general strike which he had called. The disruption that a successful strike would have caused to the local economy, and prestige it might have given to Masabalala, were probably seen as a challenge to their authority. These officials, working closely with the capitalist class, presumably adhered to the old adage that 'prevention is better than cure' in their approach to labour relations. It is doubtful whether even they could have seen their actions as a long-term solution to the problem. Yet, in a way that they could not have foreseen, their decision did have the effect of blunting the assertiveness of black unionism in Port Elizabeth. Not that this provided their action with any legitimacy. For, when

[1] P. Bonner, 'The Decline and the Fall of the ICU - A Case of Self-Destruction?', in Webster (ed), Essays in Southern African Labour History, pp. 114, 118.

[2] See his articles cited in the Introduction, p. 5 n. 19.

[3] H. Bradford, 'The ICU in the South African Countryside', *passim*. This does not do justice to Bradford's nuanced arguments, but it is beyond the scope of this study to detail them here.

all was said and done, all charges against Masabalala were dropped and he was released from custody [see pp. 133-4]. It is likely that they simply had no grounds for a case against Masabalala. His release certainly made the authorities appear even more culpable for the loss of life arising from the shootings. Regrettably, I was unable to trace a file in the government records relating specifically to Masabalala,<sup>[4]</sup> which may help us pinpoint who was to blame for the débâcle. In the absence of such information, it might be argued that by releasing Masabalala, the state conceded the legal inadmissibility of the actions of the local authorities.

The Port Elizabeth shootings have been seen as a case of the Smuts government utilising the repressive apparatus of the state in order to suppress popular protest and resistance. According to this view, the police, army and courts are instruments of state power which are used to defend the capitalist system. But the actions of the police and white vigilantes were hardly calculated acts of repression and intimidation by the state as Bloch asserts,<sup>[5]</sup> for they amounted to a response to unforeseen circumstances. Wickins, on the other hand, denies that Smuts should be held accountable, but he offers no clue as to how he arrived at such a conclusion.<sup>[6]</sup> I have questioned the assumption that the Government ordered the arrest of Masabalala [see p. 101], and suggested that the local authorities acted largely on their own initiative in their response to the threat of a general strike. It has been argued, therefore, that the direct responsibility of the Smuts government was limited by the autonomy of the local state. It is insufficient to show that the actions of the local authorities served the interests of capital, without first showing how the devolution of power affects the relationship between state, government and capital. For, as Yudelman has shown, the

[4] I was denied access to the SAP Museum Archives, although I did manage to obtain a number of photographs from that source. A NTS group in the Central Archives did yield files on the following known 'agitators': Kadalie, Msimang, Mahabane, as well as Wellington Butelezi and Nonteli, who were involved in the Transkeian millennial movement of the 1920s; but nothing on Masabalala.

[5] Bloch, 'The Cost of Living', p. 50.

[6] Wickins, 'ICU of Africa', p. 212.

tendency to equate government and the state is misleading. It is equally problematical to see local government authorities as an instrument of capital. The state is not merely an instrument of the dominant classes. Whilst the interests of the government and urban capital coincided in this instance, it does not necessarily follow that the state is controlled by a hegemonic fraction of capital, or some other coalition of interest groups. Rather, there exists a symbiotic relationship between capital and the state mediated by the government of the day.<sup>[7]</sup>

Abdurahman labelled the Port Elizabeth shootings of 23 October 1920, 'South Africa's Amritsar'.<sup>[8]</sup> His comparison to the incident in India (1919) was probably occasioned by its topicality and the lack of a suitable contemporary parallel in South Africa. However, the Port Elizabeth shootings have turned out to be the first of many similar incidents, where (according to the 'official' explanation, at any rate) the "police were compelled to use force to dispose a crowd engaged in violent protest". Since 1920, South Africa has witnessed Bulhoek (1921), Bondelswarts (1922), Sharpeville (1960) and Langa (1985). In terms of the actual course of events, Sharpeville closely paralleled the 1920 Port Elizabeth shootings; but for our purposes, the outcome of the Langa incident probably has greater relevance. While the Kannemeyer Commission absolved the police unit which opened fire on an unarmed funeral procession,<sup>[9]</sup> the state recently agreed to pay compensation to the victims of the Langa shootings more than two years after the tragedy. This has been interpreted by legal observers as an effective admission of police culpability.<sup>[10]</sup> And yet, as was the case following the Port Elizabeth shootings of 1920, no disciplinary action has been taken against the police, despite the fact that the Government was prepared to pay out the sum of R1,3 million, which was the largest settlement of its kind awarded in South African legal history.<sup>[11]</sup> Moreover, no amount of money can

[7] D. Yudelman, The emergence of modern South Africa, pp. 7, 30-33.

[8] Simons & Simons, Class and Colour, p. 241.

[9] RP 74 - 1985, p. 165.

[10] EPH 31 July 1987; Weekly Mail 7 August 1987.

[11] Weekly Mail 7 August 1987.

compensate for the suffering, nor repair the damage done to the image of the forces of law and order in the eyes of the black community.

The Uitenhage incident is still fresh in the minds of the black community of the Eastern Cape, and appears likely to become part of the popular memory. Yet, the 1920 Port Elizabeth shootings would appear to have faded from the collective consciousness. Attempts made to preserve the memory of the tragedy seem to have come to nothing. The call upon the Smuts Government, by delegates to the second national conference of the ICWU held at Ndabeni in Cape Town, during July 1921, to allow workers to commemorate 23 October as a national holiday,<sup>[12]</sup> went unheeded. The convenors of the 'amalgamation' conference, which was held in Port Elizabeth to coincide with the first anniversary of the shootings, organised a commemoration service for the dead [see p. 175], but this did not become an annual event. At the ICU conference held in January 1923, it was unanimously resolved to erect a memorial to remember and honour the victims of the Port Elizabeth shootings.<sup>[13]</sup> There is no evidence to suggest that this project was ever undertaken. It probably floundered on account of a lack of funds, as well as dissension in the ranks of the ICU as to the significance of the deaths. It is likely that once Masabalala - who tended to harp on the past, and especially on his role in the events of October 1920 - had been ousted from the national leadership, there was no persistent reminder of the disturbances. Today there would appear to be a very limited awareness of these events amongst Port Elizabeth's black community.<sup>[14]</sup>

[12] Cape Times 22 July 1921.

[13] Cape Times 23 January 1923.

[14] This observation is based on a sample of approximately 120 interviews of elderly people conducted by Vista University students in the local black community. Only one interviewee offered information on Masabalala without prompting and, even then, these recollections were confused with the 1955 Defiance Campaign. The students themselves, whose ages ranged from approximately 20 to 55, professed no knowledge of the events.

Academic histories will not recapture the people's past, unless they are assimilated in popular histories which are accessible to a large audience. Progress has been made in this direction.<sup>[15]</sup> But such histories are as susceptible as those propagating the dominant ideology, to the perpetuation of new myths which, themselves, become accepted as 'conventional wisdom'. This point has been made by Bradford in connection with the 'popularising' work on the ICU produced by an anonymous group of academics and labour activists.<sup>[16]</sup> Equally problematical, is that gross generalisations and simplifications, which are sometimes necessary in the writing of popular history, can actually lead to distortion. While not wishing to convey the impression that objectivity is possible, an underlying assumption of this work has been that the discipline of history can aid our understanding and help provide a balanced perspective of the past.

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[15] See, for example, the works of L. Callinicos, Gold and the Workers (Johannesburg, 1980) and Working Life (Johannesburg, 1987), and the UWC Peoples' History Series.

[16] The work is by the Labour History Group, The ICU (Salt River, n.d.). See Bradford, 'The ICU in the Countryside', p. 20.



## APPENDIX B

### LOCAL CONSTITUTION OF THE I.C.W.U.

#### 1.

- (1) The name of this great world wide organisation is the P.E. Industrial and Commercial Workers (Amalgamated) Union of Africa.
- (a) The Organisation shall elect officers once a year, viz President, Chairman, Vice-Chairman, Secretary, Assistant Secretary, Treasurer & Trustees.
- (b) The President, Chairman, Secretary & Treasurer shall be the ex Officio of the Executive and shall be assisted by five elected members from the General Meeting.
- (c) The Quorum of an Executive shall be five Members and of a General Meeting (25) Twenty-five Members.

#### 2. CONSTITUTION

- (1) This Constitution does not over rule the Constitutions of the various affiliated Unions.
- (2) Each Member shall pay an entrance fee of 1/- one shilling for every male and 6d. sixpence for female with a weekly contribution of 3d. for men & 1d. for ladies.
- (3) All proposals to amend or repeal any Clause in the Constitution (shall) or must be handed in writing to the Secretary of the Organisation. (a) All such amendments shall be circulated by the Secretary to the various affiliated Unions or bodies.  
(b) And such proposals should be in the hands of the General Secretary at least one week previous to the General Meeting.

#### 3. OBJECTS

The Aims and Objects of this world wide organisation is to bring all sections of the black races together which are the actual workers of this Continent, and as under the pale of this Constitution to cultivate sufficient knowledge and power to enable this union to have effect over all Industries as to benefit the working classes.

#### 4. METHODS

Furthermore of the objects defined in the foregoing rules the following methods shall be employed by the Union.

- (a) As far as possible to solve all difficulties between Employer and Employee, also between worker and worker, Trade and Trade, and Industry and Industry, and to encourage Unionism.
- (b) By grouping workers and unions by their particular trades and departments and shall all be brought in touch with each other through this organisation.
- (c) And they shall work hand in hand with all the Non European world and advising and encouraging all workers and their Unions to join in all spheres of life and if necessary to use all means in that direction.
- (d) Opposing any agreement between a section of workers and their employers where such agreement would prevent such worker to take sympathetic actions in support of another section where it is considered necessary and desirable of the Community.
- (e) The Organisation develops and encourages all workers with a view of ensuring them with a monopoly of their labour.

#### 5. STRIKES

- (1) In cases of strike, lockout or other disputes between workers and their employers, negotiations shall be communicated to the Secretary of the Union at once laying the whole matter in writing before striking takes place. Each side shall furnish the Union with the facts of dispute in full, and if negotiations between the bodies fail the matter will be entirely left in the hands of this Union, as to act if it considers necessary when all necessary assistance shall be given to the workers with a view of settling such dispute in favour of the workers. No settlement will however be considered satisfactory if it is detrimental to any affiliated body or Union of this amalgamation.

#### 6. LEVIES

In the event of a dispute occurring between the members of an affiliated Union or Unions and Employers or Employers, the Executive may ask for a vote of their members for or against the payment of a levy, based upon the requirement of the Union or Unions concerned.

- (a) The exact amount and period of such a levy shall be left in the hands of the Executive Committee to decide.
- (b) No strike pay shall be paid unless the required informations are justified by the Executive Committee, and also by members of an affiliated Union and paid over immediately to the Executive of this Union, and shall be disbursed by the Executive Committee in accordance with this Committee.

#### 7. APPEALS

All appeals for support in cases of strikes shall write direct to this Union. No Union or body affiliated to this Union should consider financial support until such appeal is considered and dealt with by this Union.

#### 8. SECTIONALS

As Sectional actions generally leads to strikes and emervations amongst Unions, this organisation shall be informed by any affiliated Union or body as to any negotiation it conducts.

- (1) If the negotiation affects direct or indirectly any other affiliated Union this organisation should be notified before any negotiations is entered upon with a view of bringing the negotiations to an effect to the other affiliated unions.
- (2) If such notice is violated the principle of solidarity is then violated and if the neglect to notify this Union re the negotiations is involved it shall be no mitigating circumstance for any union or body to communicate with another through any other than this Union.
- (3) Delegates should report at all General Meetings if there is anything of emergency that occurs at their working places.
- (4) Any affiliated Union or body violating the principles of Solidarity as outlined in the above paragraph, such will be dealt with by the Executive at a general meeting or special meeting called for the purpose, but at all times a militant spirit shall be cultivated on the side of the worker.

#### 9. AFFILIATION

Any bonfide union or body or organisation of workers is eligible providing they signify at the time of making application their preparedness to abide by this Constitution.

- (1) All bonafide labourers, comprising skilled or unskilled labourers, irrespect of colour, race or creed shall be allowed to join (non-european).

10 .

Every member of this Union shall obey the President, Chairman, Vice-Chairman, Secretary and Assistant Secretary, particularly at the meetings the Chairman must be obeyed.

- (1) Anybody that fails to obey the ruling of the Chairman shall be liable to a penalty of 1/- the first time, 2/- the second time, the third time he will be expelled from the meeting.

11.

In times of out of work, sickness, starving the Organisation will allow certain amount of alliances as the case may be which shall be reported to the Secretary.

12.

The Secretary shall keep a proper Roll of all the members of the Union and a Minute Book of all proceedings of the meetings, also of Correspondence. The Treasurer shall keep a clear cash-book and his Bank-Book may be open at all times for inspection.

(a) All money shall be handed over to the Treasurer at all Finance meetings and he shall bank same the following day unless it is agreed that he shall not do so by the majority of votes.

(b) Any member who shall defraud or embezzle or wilfully (?) monies of the Union, shall be expelled from the Union or may be suspended for any period the Union thinks fit and if desirable, legal proceedings taken against him or her, and shall be debarred from holding office in this Union.

13.

Any working place or Employers of labour that shall discharge a member of this amalgamation without reasonable excuses of the member having committed a crime or the member having acted to the interest of the Union, this Organisation have power to declare that place closed and withdraw all its members from such place.

14.

When a strike is notified and members called out those members must clear themselves of the books out of the strike pay.

15.

In the event of an officer resigning, all the property of the Union should be handed over at once to the remaining officers, who shall call a General Meeting for electing another.

16.

These rules may be altered or amended to meet cases of emergency, providing 14 days notice is given to the Secretary in writing and two thirds voted in favour of such alteration.

17.

This Organisation takes ladies as well as men in their various spheres of labour.

GOD BLESS AFRICA.

A copy.

APPENDIX C

LIST OF DEAD AT THE POLICE STATION

1.	Charlie Palmer	Kaffir	Male	aged 37
2.	Edward Mgoule	"	"	" 42
3.	Joel Oliver	"	"	" 38
4.	Andries Groeneveld	Coloured	"	" 27
5.	Patrick Toto	Kaffir	"	" 45
6.	William Meintjies	Coloured	"	" 40
7.	Diamond Ngcongolo	Kaffir	"	" 45
8.	Willie Brainers	Coloured	"	" 22
9.	Daniel Sonkosi	Kaffir	"	" 38
10.	John Buyele	"	"	" 35
11.	Walter Mbambe	"	"	" 28
12.	David George	Coloured	"	" 29
13.	John Jacobs	Hottentot	"	" 27
14.	Cornelius Botha	Coloured	"	" 49
15.	Peter Gilting	"	"	" 36
16.	Freddie Kevits	Kaffir	"	" 45
17.	David Collenette	Coloured	"	" 60

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LIST OF DEAD AT HOSPITAL

1.	John Paton	European	Male	Aged 55
2.	Louise Van Rensburg	"	Female	" 19
3.	Andries Hishoa	Hottentot	Male	" 31
4.	Willie Roode	Coloured	"	" 50
5.	Jubilee Veno	Kaffir	"	" 30
6.	Christian Augustine	Coloured	"	" 40
7.	Johannes Olifant	"	"	" 23
8.	Japie Jacobs	Basuto	"	" 44
9.	Frank Roberts	Coloured	"	" 42

## APPENDIX D

### UNION OF SOUTH AFRICA.

REPORT of the Commissioners appointed to enquire into the causes of, and occurrences at, the Native disturbance at Port Elizabeth on the 23rd October, 1920, and the general economic conditions as they affect the Native and Coloured population.

*(Printed by direction of the Acting Prime Minister.)*

We, the undersigned, having been appointed by the Honourable the Prime Minister of the Union of South Africa, a Commission to enquire into and report upon the causes of, and occurrences at, the native disturbance at Port Elizabeth on the 23rd day of October, 1920, and the general economic conditions as they affected the native and coloured population, especially (a) in regard to the rates of wages and (b) the cost of living, beg to report as follows:—

1. That the Commission began its enquiry at Port Elizabeth on Monday, the 22nd day of November, and concluded the evidence on Saturday, the 4th day of December, during which period a large number of witnesses were examined; and all the evidence taken is submitted herewith.

2. That the evidence taken at the inquest indicated that the disturbance in question was intimately connected with, and arose out of the economic conditions prevailing among the natives and coloured people at Port Elizabeth. It was, therefore, decided by the Commission, in the first place, to enquire into and take evidence upon the general economic conditions, and then to enquire into and take evidence upon the events connected with the disturbance.

#### ECONOMIC CONDITIONS.

3. The Commission decided to take the year 1914 as a basis for comparison with the rates of wages and the cost of living prevailing at Port Elizabeth at and immediately prior to, the date of the disturbance.

4. In 1914 the minimum rate of wages for raw or unskilled native and coloured male labour was 2s. 6d. per day, and it remained at that figure until 1918. In the meantime the cost of living had increased very considerably, and the natives for the first time, demanded an increase in their wages, with the result that an extra 6d. per day was conceded—3s. per day prevailed as the minimum wage until a Native Labour Union was formed in February, 1920, called the Industrial and Commercial Workers' Union, which took up the cause of the natives and arranged a meeting with the employers, resulting in a further increase of 6d. per day being conceded, thus raising the minimum wage to 3s. 6d. per day. In September, 1920, in consequence of further agitation on the part of the natives, the minimum wage was increased to 4s. per day (except in the case of men employed in the building trade who continued at 3s. 6d.), and it remained at that figure until the date of the disturbance.

5. The natives were by no means satisfied with 4s. per diem, and acting on the advice of Masabalala, the president of their Union, made a formal demand of 10s. per diem as the minimum wage to be paid for unskilled labour in the case of adult males, and 7s. 6d. in the case of adult females. Meetings were held at Korsten and New Brighton, at which the natives were urged by their leaders to insist upon their demands, and if necessary to go "on strike." Feeling was running very high and culminated in the assault on Dr. Rubusana on the 17th day of October, at New Brighton.

6. The demand for a daily minimum wage of 10s. and 7s. 6d. for men and women respectively, was rather excessive and unreasonable.

7. On the other hand it would appear that the natives were justified, in view of the increase of cost of living at the time, to demand a proportionate increase of the wages referred to.

8. The percentage of increase in wages between 1914 and 1920 is 60 per cent. The percentage of increase in the cost of foodstuffs and other necessities ordinarily consumed and used by natives was 105 per cent., as will appear from the following table of prices:—

		1914.		1920.	
		£	s. d.	£	s. d.
Meal	per bag	1	5 0	3	17 0
Mealies	"	0	12 6	1	4 0
Mealie Meal	"	0	14 6	1	8 0
Kaffir Corn	"	0	15 0	1	12 0
Satap	"	0	16 6	1	14 0
Coffee	per lb.	0	0 8	0	1 0
Tea	"	0	0 10	0	1 6
Sugar	"	0	0 3	0	0 8
Meat	"	0	0 5	0	0 8
Shirts	each	0	2 0	0	4 0
Boots	"	0	8 0	0	15 0
Trousers	"	0	3 6	0	8 0
Jackets	"	0	6 6	0	12 0
Cape	"	0	1 0	0	2 0
		£5	6 8	£13	19 10

So that the native who was receiving 2s. 6d. per day in 1914 was in a better position by 40 per cent. than he was in 1920 with 4s. per day.

9. The position of the native women working in the factories is still worse. In 1914 the ordinary daily wage for a woman was 1s. 6d., in 1920 it was 2s. These women are the wives, daughters and near relations of men engaged in work, and live with them by pooling their earning and messings in common. But for this it would be impossible for them to subsist independently on their daily wage of 2s.

10. A large number of native men and women are engaged in domestic service—their wages vary from 30s. to £2 per month for women and £2 to £3 per month for men, and in addition to this they are provided with food and in most cases with lodgings. The condition of these domestic servants is incomparably better than that of the casual labourer, and no complaints or grievances were brought to the notice of the Commission by this class of native.

11. As regards the native or coloured skilled workmen, their position appears to be exceptionally good at present. There is a branch of the Federation of Trades (S.A.I.F.) Industrial Movement and also one of the Building Workers' Union.

12. Mr. John Warren, the general secretary to the Federation of Trades, made the position very clear in his evidence before the Commission (page ). "The membership (he stated) was not confined to Europeans . . . about 75 per cent. are coloured workers. For instance, those engaged as feather sorters earn £4 10s. to £7 or £8 a week . . . some of the coloured workers are able to earn £8 a week—they earn that wage independent of colour. Tramwaymen get 1s. 9d. per hour plus 20 per cent. for increased cost of living. . . . I do not think it is sufficient increase and we are trying to get more. . . . We have natives working in the tramway shed; cleaning; the man in charge gets £2 per week, the others get about 25s. or 22s. 6d. If they are not satisfied other natives can be got to take their places. I am also secretary to the Tailoring Union; tailors do piecework—between 80 and 90 per cent. are coloured—they get 22s. 6d. for a coat, 4s. 6d. for a waistcoat and 9s. 6d. for trousers. People have to work hard to earn £4 a week—mostly Malays. We have established a Workers' Board for Tailors on account of the wholesale manufacturer, where the girls get only 7d. for a pair of trousers, 6d. for shirts, and they work from 8 to 6 for 14s. 6d. a week. They earn 14s. 6d. a week, which is the pay for 20 shirts—the work is mostly done by girls and women. A tailor gets 8s. 6d. or 9s. 6d. for making trousers, whereas the girls only get 7d. for doing the same work."

13. Mr. S. W. Carter, Secretary of the Builders' Workers Union, gave the following evidence: The wages (unskilled) have gone up about 6d. in the last four years; the skilled workers' wages have gone up considerably. In 1914 the painters got 1s. 3d. an hour; now they get 3s. an hour. The unskilled worker in the building trade is paid about 3s. a day and works 41 hours a week. If the minimum wage should be fixed at 4s. 6d. a day and the natives offer to come for 3s. the employers would take them on. If a lot of painters arrived and offered

themselves at 2s. an hour the masters would not take them on because the Unions would stand by us. The only thing that keeps our wages up is organisation. A skilled coloured man gets the same wage as the white skilled painter—we allowed them to be members of the Association. They get 2s. 6d. to 2s. 9d. an hour . . . . If a member of the Union cannot find work at the Union rates he would have to go somewhere else to get it. He would not be allowed to work at 2s. an hour, even if he were starving. . . . Our Association would not bother whether he starved or not. The 3s. a day that the natives are paid is far too little. . . . We would not come out on strike on humanitarian grounds when a native was getting 2s. 6d. and could not live on that. . . . If the unskilled workers in the building trade applied to us to help them it would have to be discussed by the Unions. In the present temper of the people in Port Elizabeth I do not think they would go to assist them.

14. Mr. T. C. Whyte, Secretary for the Manufacturers' Association for the Midlands, states that "the wages for skilled men in the boot trade varies between £4 and £6 a week—the manufacturers make no difference on the ground of colour. The position is due to the fact that there is a shortage of skilled workers, and consequently the few who are here can demand anything they like."

15. From the foregoing evidence it will be seen that the skilled worker has received proportionately a much larger increase in wages than the unskilled worker, owing to the fact that the demand for skilled workers is greater than the supply, and enables them to dictate their own terms. In regard to unskilled labour, the position is just the reverse. The supply is practically unlimited, and therefore any attempt on the part of the raw or unskilled worker to enforce his claim for an increased wage must necessarily prove very difficult. The contrast between the position of the skilled worker and that of the unskilled is so great that it passes the comprehension of the latter. He cannot understand why a native or coloured bricklayer should be paid 3s. 6d. an hour while his unskilled assistant receives only 3s. 6d. for the whole day—and why the bricklayers' wages have been increased something like 120 per cent. while his own has been raised only 40 per cent. He was told that the skilled workers obtained their high wages by means of their Trades Unions and that the unskilled workers could do the same if they formed a Union of their own and threatened to strike for higher wages. It was this feeling of discontent which led to the formation of the Natives' Industrial and Commercial Union Association in February last with the membership of over 4,000 out of a total native and coloured population of 20,000. The natives who have not actually joined the Union are, nevertheless, in sympathy with its work and influenced by its decisions.

16. It is therefore not surprising that when Masabalala came forward as a champion for the cause of the unskilled native and coloured worker he succeeded in arousing their enthusiasm as well as gaining their admiration, trust and affection; nor is it difficult under the circumstances to understand their consternation and indignation when they heard that their champion was arrested and imprisoned.

17. Your Commissioners took great pains to ascertain what it actually costs the unskilled native in Port Elizabeth to feed, house and clothe himself. None of the European witnesses we examined could give us any definite and satisfactory information on the question. It was, moreover, clear from their own admissions that the majority of them had never given the matter any serious consideration; so that your Commissioners were obliged to go into the somewhat conflicting facts and figures supplied to them by the numerous witnesses, and to form their own conclusions thereon. The figures given by ten witnesses were as follows: 2s. 3d., 2s. 9d., 2s. 8d., 2s. 4d., 2s. 9d., 2s. 6d., 1s. 10d., 2s. 11d., 3s., 3s. 2d. The average of these figures is 2s. 7½d., and we are of opinion that this may be taken as the daily cost of foodstuffs for a single native at Port Elizabeth during 1920, thus leaving to the man earning 4s. a day a balance of 1s. 4½d. per day, or 33s. a month to cover his other expenses (rent, clothing, etc.).

18. Subsequent to the events of the 23rd October, a deputation of natives and coloured people had a meeting with representatives of the employers in Port Elizabeth, when a claim was made for 5s. per diem as a minimum wage. The employers demurred to this, and eventually a compromise of 4s. 6d. per diem was made, subject, however, to ratification by the men. When this compromise was subsequently submitted to a meeting, the men, by a majority, decided to decline it. They have, however, continued to work for 4s. per diem, but under protest, and in the expectation of being able to force the hands of the employers. The Chairman of the Commission is of opinion that under the conditions prevailing at Port Elizabeth a minimum wage of 4s. 6d. per diem is not unreasonable, and that the men would be well advised to agree to it, especially as the market prices of meal, mealies and other foodstuffs, upon which the natives principally depend, have fallen considerably. Both his colleagues, however, differ with him and are of opinion that it is insufficient.

## MASABALALA'S ARREST.

19. The main facts in connection with Masabalala's arrest are as follows :—

On Sunday, the 17th October, at Korsten, Masabalala, as President of the Union, addressed a large meeting of natives and coloured labourers and urged them to strike for higher wages. He was followed by other equally urgent speakers, with the result that the enthusiasm of the crowd was thoroughly aroused and some individuals became very excited and pugnacious. Dr. Rubusana, who was known to be opposed to Masabalala's views, and happened to be present at the meeting, was assaulted by some of the crowd, seeing which, Masabalala and some of the Committee went to his rescue. Shortly after this Dr. Rubusana and one Kala made affidavits concerning the events at Korsten, and on these affidavits Masabalala was early on Saturday morning (23rd October), arrested and imprisoned by the Police, without warrant.

20. When in the forenoon, the news of his arrest became known, the natives who had gone to their work as usual that morning became very excited and angry and congregated on the market square for the purpose of holding a meeting of protest.

21. After some speeches by their leaders, it was resolved to depute the Chairman and the Secretary of the Union to interview the Magistrate and the Inspector of Police, in order to obtain the release of Masabalala, and they were prepared to deposit a considerable sum of money as security for his due appearance to answer the charge and for his good behaviour pending the proceedings.

22. This deputation interviewed the Inspector of Police, who, peremptorily, declined to entertain any proposals whatever for the release, on bail, of the prisoner. When this unfavourable and unexpected decision was announced to the meeting it was regarded as so unreasonable and unjust as to arouse their feelings to such a degree that it was then and there resolved to send a warning to the Police that unless Masabalala were released by 5 o'clock that afternoon they would release him by force.

23. This warning was given to the police shortly after 1 o'clock and the natives appeared to be so serious and determined that the police were collected and armed, and posted on the steps leading to the main entrance to the police station, in one of the cells of which Masabalala was kept confined.

24. The number of these demonstrators is variously estimated at from 200 to 400, and the majority carried sticks in contravention of a municipal regulation, which prohibits the carrying of sticks within the Municipality by natives. This regulation is, however, not strictly enforced, and the natives who have to walk the long distance from New Brighton and Korsten to Port Elizabeth invariably carry sticks, and as they came to town on that Saturday morning without the knowledge of Masabalala's arrest, the suggestion that they provided themselves with sticks for the express purpose of creating trouble is not supported by the evidence.

## THE DEMONSTRATION IN FRONT OF THE POLICE STATION.

25. The news of the foregoing occurrences having spread rapidly throughout the town, and Saturday being a half holiday, a large crowd composed of natives, coloured people and Europeans, including many women and children, assembled in Barken Street, where the police station is situated, and by 5 o'clock when the hostile natives returned to renew their demands for Masabalala's release, there must have been close on 3,000 people in the vicinity of the police station, watching the proceedings of the demonstrators who were congregated immediately in front of the steps of the police station shouting and gesticulating and flourishing their sticks at the police who, armed with rifles and bayonets, were ranged on the 10 steps in front of the main entrance. Three of the demonstrators, visibly under the influence of liquor, were particularly threatening and noisy and were being encouraged by their friends behind and immediately around them, to rush at and attack the police, which they did in a very half-hearted manner, by striking with their sticks at Sub-Inspector Hart and the two sergeants who occupied the lowest steps, and who succeeded in warding off most of the blows with their bayonets. One or two blows struck Sub-Inspector Hart without however causing any serious injury to him. He was armed with a revolver but admits that he never had any occasion to fire.

26. At this stage four mounted policemen were ordered to charge through the mob and succeeded in dispersing, for the time being, those immediately in front of the steps. Unfortunately owing to an accident, three of these men were unhorsed and disabled and could not continue charging through the crowd. One of these men, fearing that he might be molested, fired his revolver in the air. This was the first shot that day.

27. When the natives saw that the mounted policemen were unable to renew the charge they returned to their former attitude to the police, and with more noise and commotion.

28. In the meantime, however, the police force of 23 men under Sub-Inspector Hart had been reinforced by 10 Railway Police, and civilians who volunteered their services.

29. Rifles and ammunition were served out to these men, and the majority of them took up positions on the balcony from where they could overlook the crowd for a considerable distance up and down the street. Some of these men were expressly warned by Inspector Halse and others by the Assistant Magistrate, Mr. Stiddulph, not to shoot without receiving the order to do so. Inspector Halse then made an attempt to disperse the mob by turning the jet of a moderate-sized water hose on them. This had the effect of scattering the natives immediately in front of the steps, but for a few seconds only, when the nozzle of the hose became detached and the hose itself rendered useless for the purpose. The returning natives now began to throw stones and other missiles at the men on the balcony and forced them to abandon the hose (the fire station is situated in the vicinity of the police station but it never occurred to the police to ask for the assistance of the fire brigade to disperse the crowd).

30. It was at this moment that one or two shots were fired, whether from the crowd, the balcony or the steps, it is difficult to say with any degree of accuracy, in view of the most extraordinary conflict of evidence on this most important point, but whatever doubts there may be in regard to that question, it is established beyond doubt that, immediately after the first shot was fired, the crowd stampeded in all directions and that a rapid and sustained fusillade was directed on the retreating crowd from the police station for 60 seconds as alleged by some witness, or two minutes as alleged by others. One civilian admitted firing 10 shots, another as many as 13 shots, with the most fatal results, viz :—1 European and 23 native or coloured males were killed or died of wounds. Native and coloured males wounded and treated in hospital 45—females 1. European males wounded and treated in hospitals, 4; European females (1 died from a blow from a native). Total casualties : 76. Only 2 of these were shot immediately in front of the steps, the others fell in different parts of the street away from the police station as far as Castle Street corner— 100 yards distant.

31. The following facts have been fully and clearly established. (1) That no order to load or to fire was given by either Inspector Halse or Sub-Inspector Hart—on this point Sub-Inspector Hart's evidence is as follows : (p. 177) : From 2 o'clock until the shooting commenced I was in charge of the guard on the steps. The men (natives) immediately in front of me were very aggressive ; several were striking at us all the time. The blows were parried by the rifles and bayonets. I received a bruise but nothing serious. If I had considered it necessary to fire I would have given the order. I was very reluctant to shed blood. I gave no order to fire. As soon as firing started I stopped it immediately, directly I realised what was happening and the men on the steps ceased. The firing overhead (i.e. from the balcony) continued for some moments after the firing below ceased. I exercised the utmost patience. I tried to suppress the affair without bloodshed. I realised it was a tremendous responsibility to give the order to fire. I consider it wrong of the men to fire without receiving orders ; on the other hand if a man is fired at he would be justified in firing back. I did not hear any shots fired from the crowd ; a man could fire a revolver from the crowd at the police without my knowing it. I do not justify the firing at men who were scattering up the street. I have no idea where the firing started. I have the idea it started on the balcony. I did not fire at all with my revolver. I cannot say that I heard a single shot (from the crowd) before the firing from the police station took place. I did not hear shots from the crowd. It is possible that a small calibre revolver might be discharged without my hearing it.

32. Inspector Halse states :—The only instructions I gave Hart was " You are not to allow them in." I intended myself to give the order to fire if it became necessary. Hart and I tried to exercise all patience. Until we gave the order to fire, no one had a right to shoot. That order was not given as far as I know. I am certain I never gave it. If any firing took place upstairs it was not on my orders. I do not admit the firing started upstairs. I say it started down below without a doubt. There were one or two shots fired. I cannot say where they were fired from. They were not from the balcony. After these two shots the firing was general. It is quite possible that I heard the two shots referred to by one of the witnesses (Erasmus). I did not give the order to fire. Up to that time the crucial moment had not arrived. If I had to fire I would have ordered a certain number of men on the front steps to have fired into the crowd immediately in front.

33. It was admitted by all the members of the police force and the civilians who took part in the shooting that no order to fire was given to them by either of the two officers. It is also proved that the firing from the balcony continued after the men below had ceased firing.

34. The fact being established that no order to fire had been given by their officers, the men were necessarily compelled to put forward sufficient and satisfactory reasons why they resorted to such extreme action under the circumstances.

35. The following are the reasons put forward by them in justification of the shooting that took place. (1) That sticks, stones and other missiles, including a small hatchet, were hurled at them from the crowd and that some natives were armed with pocket-knives, found open in their pockets after death. (2) That a shot or shots were fired from a revolver by some person or persons in the crowd.

36. As regards the evidence given in support of (1), it was proved that three or four natives (apparently under the influence of liquor) immediately in front of the steps, struck several blows with sticks at Hart and his two sergeants who were standing on the lowest step. These blows were, however, parried by the sergeants and no serious injury was done to them, and it is certain that Inspector Hart and the two sergeants who were nearest to danger (if any) did not consider it sufficient justification to shoot. A point was also made of the fact that the nozzle of the water hose and a small hatchet had been flung at the men on the steps, without, however, causing injury to anyone. Some stones and pieces of brick were certainly thrown from the crowd at the men on the balcony in charge of the water-hose, but no person is proved to have been injured thereby. The evidence of the finding of three or four pocket-knives with open blades in the pockets of some of the killed, was no doubt intended to show that these natives meant to do serious bodily harm with their knives; but as this was a post-mortem discovery it could not have influenced the men at the time of the shooting. The hatchet produced was subsequently identified by one of the witnesses as the one he had taken from a native in the crowd, which he delivered to the police. The whole of the foregoing evidence was of such a paltry and insignificant nature as not to be worthy of any serious consideration.

37. The more important question was whether, as a matter of fact, a shot or shots were fired from the crowd at the police before the latter fired at the crowd.

38. The allegation that the first shot was fired from the crowd is supported principally by the men who admit that they fired without orders. The witness Erasmus states:—I took up position on the steps. I heard a shot. I cannot say where it came from. It seemed from the Feather Market direction. Following that other shots were fired by the men upstairs. I fired two shots into the air. I should say I was one of the first to fire. The remaining eight shots I fired into the crowd.

39. Constable C. Bower stated:—I was on the third step. The first shot was from the crowd in the middle of the street—10 yards off—then I heard the men fire from the balcony.

After the first shot fired from above there was a general firing going on. I heard three or four shots fired from the crowd. There was volley firing, yet I could distinguish the shots.

40. Constable Grant stated:—I was posted on the steps. I saw four or five in the crowd with revolvers standing in front of the steps about 10 yards from me. Inspector Hart was close to them. The one in front of the steps fired one shot, all the rest fired two; all these shots were fired before we started. I saw five natives with revolvers. I heard nine shots. They were aimed at us. I was hit on the arm by a small bullet. I threw it away, thought it unnecessary to keep it. I found it was a little piece of lead; it may have been a splinter.

There is a bullet mark on the inside of a pillar to the left. I think it was fired from the inside. There might have been a splinter from the bullet which struck the pillar. I only noticed my wound after the firing had ceased. (Dr. Kay, who examined the wound, describes it as a superficial bullet wound which may have been caused by a ricochet.) The left sleeve of the tunic which was shown to your Commission, shows the mark of a clean cut and not the mark of a revolver bullet.

41. Constable Frederick Haines stated:—I was on the fifth step. I heard the report of a revolver, and saw the smoke coming from the natives, but I did not see the revolver. The shot struck Constable Grant; I cannot say it was that shot. I did not see that particular shot strike him. I correct that statement. After the first shot was fired from the balcony the natives ran away. Grant said to me, "I have got a shot in the arm"; he told me this at the time we were on the steps.

42. Ernest Hearne, civilian, stated:—I offered my services to the police, I took up position immediately at the back of the men on the steps. One native I saw had the butt end of a revolver protruding from his hip pocket. I heard a shot from the crowd. Immediately afterwards firing commenced from the steps. I heard one shot, then another shot. Firing started almost immediately. It was impossible to tell where it came from.

43. William Olckers, Railway Constable, stated: I heard one shot from the front but could not see who fired it. Immediately afterwards I heard firing from our side. At the first shot the natives cleared and fell over one another.

44. C. W. Morgan, civilian, stated:—I assisted on the balcony with the hose until the nozzle dropped off. After that I heard the first shot. I think it came from the crowd. I did not see a revolver in the hands of any of the crowd. The firing started from below, then the balcony took it up. I heard one report, then a lot from downstairs. I cannot tell where the firing came from. I think the first shot came from the crowd. I was on the balcony at the time.

45. In addition to the foregoing evidence, the Commission were shown what appeared to be three bullet holes in the windows of the parapet wall, which is about 10 feet from the wall of the main building and parallel to it. It was suggested that these holes were caused by shots fired from the crowd in the street.

46. The Commissioners made a careful examination of the parapet and also of the wall of the main building. The two holes in the window of parapet to the left are about four feet from the steps and appear to have been caused by bullets discharged by the same weapon, or from weapons of the same calibre; moreover, they are of the same size as the holes made by rifle fire in the windows of the market buildings opposite the steps. As there are no corresponding bullet marks on the main wall behind the parapet, it would appear that these two holes were caused by rifle fire from inside the police station. Furthermore, on the inside of one of the pillars to the left of the steps, is a mark which was undoubtedly caused by a direct rifle shot fired by one of the men posted inside the building. It is probable that Grant, who was standing on the steps near this pillar, was struck by a splinter from the casing of that bullet.

47. The third hole is in the parapet window on the right, about 12 to 14 feet distant from the steps. In the main wall behind the parapet is a mark corresponding with the hole in the window of the parapet. A straight line connecting that mark with the hole, if produced towards the street would pass far above the heads of the crowd, and then the bullet would not possibly have been fired by anyone in the crowd in front of the building unless he was almost up against the parapet. Further, the direction travelled by the bullet shows that, even on the remote supposition that it was fired by some one in the crowd, the person who fired the shot did not face the entrance, nor did he aim at the police on the steps.

48. On the other hand, there is the evidence of Inspector Hart and Sergeant Orchison, who were the nearest to the natives, who declare that they did not see any native armed with a revolver and did not hear any shot fired from the crowd. Orchison says:—I heard two shots and then rapid firing. I think the firing started from the balcony.

49. Captain Halse stated:—There were one or two shots fired. I cannot say where they were fired from. They were not from the balcony. The firing started from the balcony after these shots. It is quite possible I heard the two shots referred to by the witness Erasmus.

Joseph Danower, a civilian spectator, stated:—After the nozzle dropped off the hose the firing started. Immediately after the first shots were fired I left. To me they sounded like blank cartridges.

50. E. Bilson, a civilian spectator, stated:—I do not know who fired first. I heard one shot, then another, after that there were several shots.

51. F. Elliot, attorney, stated:—I heard two loud shots; I am confident they were from rifles inside the porch. There was an echoed or muffled sound. The firing commenced from the balcony. The natives broke immediately and stampeded. I am not prepared to contradict Mr. Kemp when he says a revolver shot was fired. I simply say I did not hear it. The shots were loud reports. I should be surprised to hear that they were revolver shots. I did not hear any shots before that.

52. Rev. Diedericks states:—When the hose stopped working, the men on the balcony retired into the building. Just then there was one shot, and then another. It seemed to be from the direction of the steps. When these two shots were fired, lots of shots were fired from the balcony. The first two shots came from the steps. I did not hear any revolver fired.

53. Johannes Bekker stated:—I went to the police station and there I was armed. I was standing at the front door above the steps and went upstairs on the balcony. I fired one shot. The natives were running away when I got to the balcony.

54. Arthur Smith, civilian, states:—I took up a position at a window on the left of the entrance of the police station. The police were ranged on the steps. I first heard the shots from the police at the side of me when I fired.

55. Duncan MacPherson, a civilian spectator, states:—I was standing about two yards from the steps. I was in the vicinity all afternoon moving about the crowd. The police tried to disperse them by applying the hose until the nozzle dropped off. Then the firing took place. I could not say if it was from the balcony or from the steps.

56. W. Gungeluzza, a native spectator, states: I was amongst those who were trying to pacify the crowd; when the firing started I was near the police.

The firing started from the police below. I heard the first shots. I heard two shots in rapid succession from the steps. I cannot say who fired the two shots. I don't think they were fired by the sergeants. They were fired by someone behind them. After the second shot firing broke out from the steps and from behind the balcony. I did not see any natives armed with revolvers. I did not hear any revolver shots.

57. John Freeman, civilian spectator, stated: After the hose failed I saw a constable on the balcony wave his arm twice, and after that I heard the shot go off. I am not sure where they started from, but I think it was from the bottom. I did not see any native there armed with a revolver. I did not see any shots fired from the crowd.

58. If the determination of this important question had depended entirely upon the foregoing evidence the Commission would have felt no difficulty in arriving at the conclusion that the fact that the first shot or shots were fired from the crowd was not established, because the evidence of the men who took part in the firing is most contradictory and unsatisfactory, and is, moreover, influenced by strong motives. It is not supported by the evidence of Inspector Hart and his sergeants, who were nearest to the crowd and, though possible, it is improbable, that such important occurrences would have escaped their observation. This evidence, on the whole, would support the probability that the first shots were fired from the police office steps by Erasmus.

But in addition to the evidence of the men actually concerned in the shooting that took place, we have also to consider the disinterested evidence of the following Europeans, who were spectators of and in no way concerned or implicated in the tragedy, and who could, therefore, have had no motives in making false statements.

59. Mr. R. Payne stated: I stood a couple of feet from the steps. I saw a native with a revolver in his hand. I saw him fire the revolver. When the shot was fired I heard a lot of shots from the doorway and from above.

60. Mr. John Forbes states: I was on the footway. I saw a well-dressed native at the head of the mob. I saw that man lying dead afterwards in front of the steps. I recognised him as Giltin. I saw a revolver lying on the ground close to his hand. I heard a shot fired; it came from the crowd about five yards from me. I only heard one shot.

61. Mr. S. Kemp: I did not see any natives carrying arms. The first shot fired was a revolver shot, but I do not know where it came from. It was a small revolver shot. Immediately after that was the firing of rifles.

62. If the evidence of those witnesses is accepted it would appear that one shot was fired from the crowd before the police fired; that this was seen or heard by one of the men on the steps, who took it upon himself to retaliate by firing at the native and thus start the fusillade that took place; that the men on the balcony, hearing the shots and having no officer in authority over them, probably concluded that the order to fire had been given below, and immediately took up the firing, which they kept up until the order to cease fire reached them.

63. A statement was made at the inquest by Detective-Head-Constable Anderson that he received complaints that after the firing the retreating natives brutally assaulted six Europeans, including one female (Miss Van Rensburg), who has since died from the wounds.

The only evidence given before the Commission of any assault by retreating natives upon a European was that concerning the case of Miss Van Rensburg.

64. It appears that Miss Van Rensburg and her companion, Miss Greenholz, were standing a few feet from the pavement on the corner of the Town Hall opposite Castle Hill. They were out of the direct line of firing from the Police Station, but bullets which were being fired in the direction of Castle Hill ricocheted towards the Town Hall and forced many of the spectators in that vicinity to take cover. Natives were running past the Town Hall towards Jetty Street in order to escape the bullets. A native, dressed in a dark jacket and grey flannel trousers, in running past Miss Van Rensburg, struck her on the head with a kerrie or stick, and passing into Jetty Street, dropped down dead with a bullet wound in his chest. As the spot where he fell was out of the line of fire he must have been fatally wounded previously, and continued running until he dropped. When Miss Van Rensburg was felled, Miss Greenholz went to her assistance and, whilst stooping over her friend, was struck by a ricochet bullet and severely wounded. Miss Van Rensburg's wound proved to be fatal, but Miss Greenholz has recovered from the effects of her injury.

During all the time the Commission sat in Port Elizabeth a notice was running in the local paper (*Eastern Province Herald*) soliciting all persons desirous of giving evidence to appear before the Commission for that purpose. Many witnesses responded to the call and furnished the Commission with valuable evidence on various points of the enquiry, but, apart from the above referred to, no evidence was forthcoming in regard to any assault on Europeans.

#### CONCLUSION.

The Commission is of opinion:—

65. That the Inspector of Police exercised his discretion unwisely in refusing to release Masabalala on bail in the forenoon of the 23rd October. Had Masabalala been released on bail the natives would have been satisfied and the tragedy which occurred in the afternoon would have been averted.

66. That the subsequent behaviour of the natives in assembling in force before the Police Station with the avowed determination of forcibly effecting the release of Masabalala, in defiance of law and order, must be condemned in the strongest terms.

67. That owing to the hostile attitude and threats the police were obliged to arm themselves in order to guard the Police Station, which they did from 2 o'clock until half-past five, during the whole of which time the officers in charge were unremitting in their endeavour to induce the natives to abandon their purpose, but without avail.

68. That the conduct of the officers, and especially that of Inspector Hart and the two sergeants who occupied the most exposed position in front of the assailants, was most patient and exemplary in the face of the hostile and threatening conduct on the part of a certain section of the mob; and, as far as these officers and non-commissioned officers are concerned, the Commission is satisfied that they did their utmost to disperse the mob without bloodshed, and that they did not participate in the shooting which subsequently took place, nor did they at any time give any order to load or to fire.

69. That certain civilians, mostly returned soldiers, in a most casual way, singly or in groups, made their way through the police on the steps, went into the interior of the building where rifles and ammunition were being served out, and took up positions where they chose, some on the balcony and others on the steps. No officers were placed in command over them, and no definite charge or instruction was given to them as to what they should do in certain eventualities. A few were asked by the Magistrate or the officer in charge of the police not to fire without orders, but this advice was given in passing and not as a definite instruction to the men as a whole.

70. That there is no doubt the police were harassed by the grave seriousness of the disturbance and the inadequacy of the force at their command completely to deal with it; yet this does not diminish their responsibility. The most rudimentary discipline seemed lacking among the men on the balcony. It was all haphazard.

71. That it is not possible to determine with accuracy where the firing started. There is no doubt where it ended. For some time after firing ceased on the steps it was kept up on the balcony. Indeed, the firing did not cease there until the officer in command reached them from downstairs. Had there been an officer in command on the balcony the Commission is of opinion that firing would have ceased sooner; that it would have ceased immediately the crowd began to scatter; or, indeed, that it would never have started at all without an order from such an officer.

72. That even if there was any justification under the circumstances for the men to fire without express orders, it is clear that the shots should have been directed and confined to the most aggressive and dangerous of the mob in front of the steps, as laid down in par. 27 (sub-section 3) of Standing Orders S.A.P., viz.: "Whenever the necessity for firing unfortunately arises, it ought to be at the leaders of the riot or at the assailants of the force, and if possible with effect (sub-section 4) no greater number of men are to be detailed to fire than is considered absolutely necessary; i.e. should there be two or more sections the firing by one section only may have the desired effect."

73. That as soon as the first shot was fired from the Police Station the crowd fled in panic in every direction. Only two natives were shot immediately in front of the steps and another in the middle of the street just opposite the steps. After the first shots were fired a heavy fusillade was started by all the men on the balcony as well as by some of the men on the steps. The latter were immediately ordered to cease fire, but the men on the balcony continued with rapid firing until the order to cease fire reached them, by which time the crowd had disappeared from the street.

74. That all the firing which took place after the mob broke away was directed against fugitives; that it was unnecessary, indiscriminate, and it was moreover brutal in its callousness, resulting in a terrible toll of killed and wounded without any sufficient reason or justification.

Dated at Cape Town this 11th day of January, 1921.

C. SCHWEIZER,  
*Chairman.*

A. ABDURAHMAN,  
ALEX. W. ROBERTS,

*Members.*

## SOUTH AFRICAN POLICE.

Headquarters of the Deputy Commissioner,  
Eastern Cape Division.

Grahamstown, 9th April, 1921.

The Secretary,  
S.A. Police, Pretoria.

## NATIVE RIOTS: PORT ELIZABETH.

With reference to your SAP. 62/11/20 of the 21st ultimo and telegram of even number, dated 30th ultimo.

I have the honour to forward herewith a report (in duplicate) by the District Commandant, Port Elizabeth, together with all the annexures therein referred to, as also a report (in duplicate) by Mr. Stidolph, who was acting Magistrate at Port Elizabeth at the time of the said riots (October, 1920) and now Magistrate at Uppingham.

These reports will, I think, be found to fully deal with the Commission of Enquiry's report and to fulfil requirements.

My own views on the conclusion arrived at by the Commission, if, in view of the fact that I was not in command of this Division at the time, I may be permitted to advance them, are as follows:—

*Paras. 65 to 74.*

Para. 65.—I do not believe that the Inspector of Police acted unwisely in refusing to release Masabalala on bail. Setting aside the legal aspect involved, I think that having once effected his arrest, he (the Inspector) would have been seriously at fault had he in the circumstances allowed Masabalala out on bail and a riot then followed that day or a few days afterwards. I see no justification for the conclusion that nothing serious would have happened had Masabalala been released on bail.

Para. 66.—There is ample evidence to show that the natives assembled in force before bail was finally refused, and that when so assembled there were many indications of the natives' hostile state and their determination to effect Masabalala's release.

Paras. 67 and 28.—It is undoubtedly the case that all Police concerned, officers and other ranks, were unremitting in their endeavours to induce the natives to abandon their purpose. This is also the conclusion arrived at by the Commission, *vide* para. 67. There thus appears to me no good reason for confining such exemplary conduct to a few, as is done in para. 68.

Para. 69.—The apparently casual manner in which the civilians entered the Police Station is, I submit, satisfactorily accounted for by Captain Halse in his report. I do not agree that no officer was in command of them. There was certainly no officer on the balcony when the firing took place, but they (the men on the balcony) were certainly at the time commanded by the officers in command of the operations in general. They were given *express orders* not to fire until ordered. (See para. 29 of the Commission's report.)

I also submit that in the circumstances they acted reasonably in firing after hearing firing from below; that is, hearing such firing from below was reasonably interpreted as the order to fire.

Para. 71.—There appears to me to be little doubt that the firing commenced below the balcony. There also appears to be little doubt but that such firing was commenced by the crowd—the natives. It is admitted that had the men on the balcony been trained and disciplined the firing would have been better directed and ceased earlier than it did. The situation, however, did not permit of there being such men, nor of there being an officer with and immediately over them.

Para. 72.—As indicated above, the men on the balcony were not members of the S.A. Police and were thus unaware of the Standing Orders of the Force.

Paras. 73 and 74.—These conclusions are dealt with in detail by the District Commandant in his report.

In conclusion, I would state in regard to para. 22 of the Commission's report, in which it is said that the natives were *peremptorily* refused bail, that I do not know on what evidence this accusation is made, but I cannot believe that it is correct. What is probably the case is that Captain Halse was firm in his refusal to entertain the application.

(Sgdt.) S. T. DAVIE, Lieut.-Colonel,

Acting Deputy Commissioner of Police,  
Commanding Eastern Cape Division.

[COPY.]

## SOUTH AFRICAN POLICE.

Office of the District Commandant.

P.O. Box 28, Port Elizabeth, 6th April, 1921.

The Deputy Commissioner,  
South African Police, Grahamstown.

## NATIVE RIOTS: PORT ELIZABETH, 23RD OCTOBER, 1920.

In compliance with the instructions contained in your Minute No. 2286.14.20 of the 30th ult., I have the honour to report that the matter under discussion has already been so exhaustively dealt with in my report No. 40 A.20 of the 4th November last and in the inquest proceedings by the Acting Magistrate (Mr. Gadd) that it is difficult to find any point not already explained. However, I shall endeavour to make clear the several points which in the Commission of Enquiry's report appear to be particularly unfavourable as regards the conduct of those who had to suppress the unfortunate disturbance of the 23rd October last. But before doing so I beg to be permitted to bring to your notice certain things said by members of the Commission and their manner of cross-questioning the witnesses which leaves one to suppose that they were not wholly unbiased and impartial.

On the day that evidence was first called in connection with the actual riots, I enquired from the Chairman if I would be permitted to put questions through him to witnesses in order to assist to make clear any little points that were not brought out by them, and permission to do so was at once accorded me, and several questions were put by me to the witness (Mr. Grattan) then being examined. When this witness was finished with the further proceedings were adjourned for lunch. After lunch, on returning to the room where the enquiry was being held, I was informed by Major Hutchons that the Commission had instructed him that they would not permit me to ask further questions, but that he was to put them. This was a considerable handicap to me as Major Hutchons had no personal knowledge of what had taken place. The natives were represented by Mr. Attorney Brown and also by a native named Msimang, from Bloemfontein, who were permitted to put questions to witnesses through the Chairman.

Members of the Commission, particularly Dr. Abdurahman, not only put leading questions to the witnesses, but made it quite clear what answer was wanted, and the answer he wanted was not at any time unfavourable to the natives. This became so glaring that, through Major Hutchons, I twice protested to the Chairman, who gave instructions that it was not to continue. It did not, however, wholly cease.

After the proceedings were over (with the exception of further enquiries, which Sub-Inspector Hart will refer to) Dr. Abdurahman said to Major Hutchons, so the latter told me: "When I left Cape Town I fully intended giving Captain Halse and Mr. Hart hell, but since hearing the evidence that has been given I feel sorry for them."

Instruments made of three or four strands of wire twisted together, pieces of iron rods two or three feet long, numerous heavy kerries, several butcher knives, etc., etc., taken from the rioters or found abandoned in Baakens Street after the rioters had dispersed had been placed in the room where the enquiry was held for the purpose of explaining how they came into our possession. On one occasion while the enquiry was adjourned the Chairman was looking at these exhibits, and I joined him. He said to me, in what appeared to be a sarcastic voice, "Are these the walking sticks they were carrying?" and I replied that they were, and he then said: "And I suppose that you also expect us to believe that open clasp knives were found in the pockets of those who were killed?" I replied that they certainly were so found; and he walked away. No evidence had then been taken with regard to these exhibits.

In view of the above I cannot own to having been surprised when I read in yesterday's local paper of Dr. Abdurahman's remarks at the A.P.O. Conference held in Cape Town on the 1st inst. I am attaching copy of Reurer's wire on the subject.

In para. 19 of the Report, it is stated that Masabalala was followed by other equally "urgent speakers, with the result that the enthusiasm of the crowd was thoroughly aroused." This is not so. Masabalala was the last speaker and caused all the trouble. In support of this I beg to quote from the original affidavit taken in connection with the disturbance. Similar evidence was taken on oath at the inquest, whereas the evidence taken by the Commission was not on oath.

Dr. Rubusana says:—"On the afternoon of the 17th October I proceeded to Kersten and arrived there before the meeting started. When about 2,000 people were assembled, a coloured man named Kettleidas took the chair and opened the meeting. He was opposed to a strike and gave his reasons, and finished by saying that if they did not think the committee was right (in opposing the strike) they must decide for themselves, as the strike was

being urged by Masabalala.' Masabalala then took the platform and said : ' . . . you must all abide by your previous decisions and go in for a strike at the end of the month, and that he was ready to die with them . . . they must not listen to devils and wiseacres who did not care for their interests even if those devils were natives.' He shouted at the top of his voice in a manner calculated to inflame the feelings of his listeners ; there was shouting and hissing from all sides. Someone shouted ' Let us sing a hymn.' It was one of the crowd. I then left with J. Kale—a lot of men followed us shouting and swearing at me. One man said ' Let us kill this traitor Rubusana,' and goes on to describe the assault upon himself."

Further on he says :—" At the end I was making for a cottage. Masabalala came and tried to stop them. A young man told me that Masabalala at first urged them on. When Masabalala said ' Do not listen to devils or wiseacres, although natives, even though they come from another district or from hell ! ' he meant me. I am the only native that has opposed his policy at public meetings, and I came from East London District."

Paul Kettledas says :—" I am Chairman of the Committee of the Industrial Coloured Workers' Union. Masabalala (on 17th October) then addressed the meeting as follows : ' . . . the Chairman wants to put me in gaol for wanting to strike . . . ' When Masabalala spoke about me wanting to get him put in gaol the crowd got very excited and shouted for me to be put off the platform. . . . I had to leave the meeting in a hurry as an attempt was made to assault me. About the same time I saw a large part of the crowd going towards Dr. Rubusana but I did not see what happened to him. The attempted assault on me was due to Masabalala telling the crowd that I wanted to get him in gaol. Friends protected me, otherwise I should have been assaulted."

I should here add that at the time this affidavit was taken, Kettledas was still a member of the Committee with Masabalala and was very loath to say anything that would incriminate. I could quote from many other affidavits in my possession to prove that Masabalala was, besides Kettledas, the only one who spoke at the meeting on the 17th October and that after he had addressed it the meeting broke up, but I think that the foregoing is sufficient to prove that the Commission's statement above referred to is not in accordance with fact.

Para. 21.—The natives who interviewed me made no mention that they were prepared to deposit a considerable sum of money for Masabalala's appearance. They merely asked if I was prepared to accept bail and I replied in the negative, and no mention of " his good behaviour pending proceedings " was made.

Para. 22.—I am accused of preemptorily declining to accept bail. This is incorrect. I explained at considerable length my reasons for refusing, and added that the Magistrate had told me that he would not accept bail. I, however, added that they could see the Magistrate if they wished but that I knew that he would not accede to this request and advised them to leave the matter alone until the Monday morning, when the case would be heard and the matter of bail could then be gone into. Later on the Magistrate gave them similar advice and also declined to admit Masabalala to bail.

In para. 24 it is stated that " the suggestion that they provided themselves with sticks (on the Saturday morning) for the express purpose of creating trouble is not supported by the evidence." No such suggestion was ever made. What was said, and it is perfectly true, was that some time after bail had been refused and after their ultimatum had been delivered the crowd dispersed, proceeded to their homes, armed themselves with sticks, etc., and after an interval of nearly two hours returned to the Police Station accompanied by thousands of their friends.

Para. 25 leaves one to believe that the demonstrators were few in number and that the large majority of those present were merely spectators. If that was intended then it is incorrect. Plenty of evidence could be called to show that natives 100 yards up Baakens Street were brandishing their sticks and encouraging the ones immediately in front of the Charge Office to force their way in. In fact, when the hose was turned on from the balcony it was the demonstrators who ran into side streets and picked up stones to fling at the police, and sworn statements to this effect can be got if desired. With regard to the statement that Mr. Hart was armed but did not have occasion to fire, that officer stated that he twice drew his pistol with the intention of firing had his assailants not desisted from assaulting him.

Para. 26.—Sergeant Hooper's report will show that he discharged his pistol to frighten off natives who were running towards him with their kerries upraised with the intention of assaulting him, and this was borne out by the evidence of Mr. Laing, who witnessed the whole proceedings.

Para. 29.—It is quite correct that it did not occur to me to invoke the aid of the fire brigade, but at the same time it was made clear to the Commission that the brigade was extinguishing a fire three miles away on the afternoon in question, and therefore was not available. However, they apparently did not consider it necessary to mention so unimportant a matter !

Para. 30 says that it is uncertain where the first one or two shots were fired from. That there could be any doubt on this point astonishes me. It is correct that some of the police witnesses and one or two civilians said they were under the impression that the first shot came from the police. Such evidence coming from those who were on the lower steps leading to the Charge Office would not surprise anybody who had heard the hubbub and shouting that was going on in their immediate vicinity. The noise was so great that they, in my opinion, certainly would not hear pistol shots fired from the crowd, but the position of those standing further back and on the balcony was quite different, and many of these—and also quite disinterested civilians who were at the back of the demonstrators—gave sworn evidence at the inquest to the effect that they were quite certain that the first shots were fired from the crowd, and others who had not given evidence at the inquest told the Commission the same thing. In this paragraph mention is made of one European who was assaulted by natives, but I am in a position to supply the names and sworn testimony of many others.

It is also alleged that only two of the 76 were shot immediately in front of the steps. This is incorrect, as I told them that I, personally, had seen three bodies almost up against the steps, at least one in the middle of the street and several more near the Market Buildings all immediately in front of the steps.

It is also stated that "immediately the first shot was fired the crowd dispersed in all directions." They did disperse after the police returned their fire. When I reached to within view of the front steps after the firing commenced, there were still many natives in front but they were dispersing and the men were ordered to cease firing at once, but the firing from the balcony continued for a few seconds longer until I was able to get up the steps leading to that floor and order them to stop. No time whatever was lost in doing this. I ran up the steps calling to the men to stop, and before I reached the top I was heard by someone and word was passed along.

Para. 31 and 32.—It is correct that neither Sub-Inspector Hart nor I gave the order to fire, but the men hearing firing naturally, I submit, concluded that such an order had been given and opened fire. In this connection it should be borne in mind that the demonstrators were creating a terrific noise, and this made it difficult for those in their immediate proximity to hear what else was happening, also that their attention was fully occupied in seeing that their assailants did not effect their purpose.

The insult contained in para. 34 against those who were honestly striving to serve the public good, was gratuitous and quite unnecessary in view of what is said in the last paragraph of number 58. Personally, I have always been of the opinion that when several witnesses give exactly the same answers to questions put during a severe cross-examination (and these men were subjected to such an examination) one would probably be justified in coming to the conclusion that there had been collusion among the witnesses; but when witnesses, while adhering to the principal point, but differ as to the non-essentials, then I contend that one is not justified in concluding that any collusion has taken place and that the witnesses are giving honest and truthful evidence of how the matter struck them.

In No. 36 it is stated: "It was proved that three or four natives (apparently under the influence of liquor), immediately in front of the steps struck several blows with sticks at Hart and his two sergeants who were standing on the lowest step." In this connection it should be borne in mind that the steps were not more than 6 or 7 feet broad, that they were protected on the sides by pillars and a wall and therefore only a narrow front was presented to the attackers. In spite of this narrow front, however, there were not three or four natives striking at Mr. Hart and those immediately with him, but dozens hitting over the shoulders of the front few and all were crowded forward by the large number just in their rear. The Commission was shown many dents in the rifle on issue to Sergeant Orchison and Sergeant Brown's weapon bore similar marks. Sub-Inspector Hart had several bruises and Sergeant Orchison and seven or eight others had been hurt, but nothing is said of this. Also the remarks above quoted hardly coincide with what is said in para. 67 and 68, in which the conduct of Sub-Inspector Hart and others is commended as having been "most patient and exemplary" in view of the circumstances. Nor do the words (if any) in parentheses in this section of the report accord with what is said in sections 67 and 68.

Although the finding of open pocket knives in the pockets of the killed was a post-mortem discovery and did not justify certain ante post-mortem steps, it was a very clear indication of the purpose of the mob who assailed the police and surely goes to prove that other indications of that purpose were correctly interpreted and justified the action taken.

It is correct that the hatchet produced was identified as stated, but as a matter of fact, two hatchets were produced at the enquiry, and I can assure you that one of these (I believe the one referred to above) was shown to me in the passage leading to the steps before any firing took place, in fact, before the hose was turned on, and I was told at the time that it had been flung at the police. This was before any civilians had been allowed into the building and the witness who identified the hatchet was a civilian.

In view of what is said in paras. 58 to 62 inclusive, I deem it unnecessary to comment on most of what is stated in paras. 37 to 57, but beg to point out that it is asserted by Sub-Inspector Hart in his report which accompanies this one, that he examined the sleeve of Constable Grant's tunic and that the cut in it was not as described by the Commission but resembled the cut a bullet would make. I did not examine the sleeve of Grant's tunic, but I did the wound in his arm and from experience I would judge it to have been caused by a bullet.

In para. 46 it is suggested that the two holes to the left of the doorway were caused from inside the building. This is certainly not the case as the glass is splintered on the inside and not on the side facing the street. It is correct that there is a bullet mark on the inside of one of the pillars to the left of the entrance, but no mention is made of a bullet mark on the outside of the pillar to the right and which must have been fired from the street.

In para. 47 it is stated that a straight line connecting the bullet hole in the window on the right of the steps, "if produced towards the street would pass over the heads of the crowd." When statements of this sort are made in an important report, it is difficult to refrain from writing one's thoughts. The facts are as follows: "I, accompanied by Sub-Inspector Hart, assisted Dr. Abdurahman to determine this point. The end of a string was placed against the wall of the billiard room where the bullet had flattened, the other end passed through the hole in the billiard room window, then through the hole in window in the parapet and into the street, and it was found that the shot must have been fired at about 12 or 15 feet from the parapet window exactly where the natives were in large numbers. After retiring to the room where the enquiry was held, I overheard Dr. Abdurahman telling the Chairman that the shot must have been fired at a range of '3 feet about,' and seeing me just then he appealed to me to corroborate his statement. I replied that if he had said yards I might agree with him, and he then corrected himself and said he had meant to say three or four yards."

Para. 51.—I do not know, in view of what Sub-Inspector Hart will say concerning Mr. Elliott's evidence, if that evidence will be considered of any value, but in case it is I should like to quote a few lines of it. He says: "I heard two loud shots. I am confident they were fired inside the porch. There was an echoed or muffled sound. The firing commenced from the balcony." The balcony is several feet to one side of the porch and several yards above it. Is further comment necessary?

The evidence of Rev. Diedericks (a Hottentot) would not have impressed anybody who heard it and who did not wish to be impressed by it. It will be observed that he said the first shots seemed to come from the steps, while a line further on he says, emphatically, that the first two shots came from that point.

In para. 63 it is pointed out that evidence was given concerning only one assault upon Europeans. I was not present when Head Constable Anderson gave his evidence and cannot say what took place, but Mr. Anderson assures me that he offered to call evidence concerning other assaults upon Europeans but that his offer was not accepted. This I quite believe, as I also offered to get further evidence upon other points but was told in effect that none was required. However, the fact remains that other Europeans were very seriously assaulted (one received no fewer than 11 blows) and many not so seriously. I have in my possession five or six affidavits concerning the serious assaults and can produce them if required. I enclose them.

In para. 64 it is pointed out that the native who killed Miss van Rensburg, after being wounded ran into Jetty Street about 200 yards from the Police Station, and then dropped dead. This being so it is difficult to understand the Commission's reasons for commenting in an earlier paragraph on the fact that some natives were found dead at Castle Street corner, 100 yards distant.

It appears to me strange, or perhaps significant, of the Commission's attitude towards those who were charged with the suppression of the riot, that no mention is made in the summary of the proceedings of the evidence given by the Secretary of the Native and Coloured Union. This man's name is Alfred Zidumo and he is a paid servant of the Union.

He headed the deputation which waited on me on the 23rd October, and it was he who delivered the natives' ultimatum to me. In his sworn evidence given at the inquest, he says, *inter alia*: "I was assisting the District Commandant and interpreted for him. He asked me to tell the crowd to go home and that nothing would be done to Masabalala. He would be brought before the Magistrate on the 25th October, 1920, and they could come and listen to the case, but they took no notice of this advice. I also acted as interpreter for Acting Magistrate but they would not give him a hearing at all. I could not pacify crowd at all. They were violent and wanted to release Masabalala and had shooting not started they would have made determined effort to get into the Police Station. That was undoubtedly their intention." With all due respect to the members of the Commission, I submit that the leader of the natives had a better opportunity of correctly gauging the intentions of the rioters on the 23rd October than they had from the very incomplete evidence placed before them four or six weeks later.

The Commission appears to have emphasised the fact that Masabalala was arrested without the formality being gone through of having a warrant issued.

It was fully explained to them by me that paragraph (b) of Section 26 of Act 31 of 1917, empowers members of the Force to arrest without warrant any person who such member has reasonable grounds to suspect of having committed any offence mentioned in the first schedule of that Act. That among other offences mentioned in the Schedule is "Offences the punishment whereof may be a period of imprisonment exceeding six months without the option of a fine." I also explained that Masabalala was arrested for incitement to public violence under Section 7 of Act 27 of 1914, and that in Tredgold's Manual of Cape Criminal Law, it is stated that v. d. Linden says the punishment for this offence is in the discretion of the Judge. This being so Masabalala's arrest without warrant was perfectly in order.

In para. 65 the Commission accuses me of exercising unwisely my powers of discretion in not admitting Masabalala to bail.

I pointed out to the Commission that Section 116/2 of Act 31 of 1917 lays down that a policeman of or above the rank of sergeant may under certain circumstances accept bail from prisoners but that he has not this power in regard to the offences specified in the first Schedule of the Act; that incitement to public violence was one of the offences referred to in that Schedule and that, therefore, I could not have admitted Masabalala to bail even if I had been disposed to do so without exceeding my power, and that as a matter of fact the Magistrate was also appealed to by the natives, but he refused to comply with their demand. I added that I did not wish to shelter myself behind the Magistrate's refusal to grant bail because I felt that probably he had been influenced by my views. It is, however, hardly correct to say I exercised unwisely a discretion I did not possess.

My reasons for opposing the release of Masabalala were as follows: He had been arrested on a very serious charge and I am of opinion that it would have been creating an unwise precedent; a very dangerous condition had been brought about by his advocacy of a strike which would, it was generally acknowledged, necessitate the prevention of going to work by non-unionists and that this would inevitably have resulted in serious fighting between the two sections of natives. Many servants, including my own, were told that if they went to work they would be "pulled out." Masabalala was the foundation head of this movement, in fact, it was recognised that he was the prime mover in the whole business. It was my opinion, shared by the Magistrate, the Superintendent of Natives, and of natives who possessed the confidence of the last named official, that if Masabalala could be kept out of the way for a short while the whole trouble would blow over. I was not so much concerned with the prevention of a strike, although this naturally interested me, as I was in preventing what I felt sure would result if a strike came about. Great uneasiness was felt by residents on the outskirts of the town by reason of what their servants told them would happen. I told the Commission that Mr. le Roux, the principal of a school in the town, had asked me for arms for himself and others, that the danger which threatened was greatly talked about in town, that Mrs. Grattan had been insulted at the New Brighton Railway Station, that one Jewish storekeeper at New Brighton and one Chinese storekeeper at Korsten had been told that their shops would be looted, and offered to call evidence on all these points but was not permitted to do so.

I am still of the opinion, and so are all those others who were in touch with the movement, that had Masabalala not been arrested when he was, or had he that day been liberated on bail, we should have had very serious trouble indeed. The Commission points out that when they were here Masabalala had been on bail for 14 days and that no trouble had resulted. This was quite correct, but it should be borne in mind that the trouble was blown over by the 31st October as a result of his absence in gaol at Grahamstown, that some thousands of his erstwhile followers had left Port Elizabeth for their homes in Kaffirland (the Superintendent of Natives estimated that on the 23rd, 24th and 25th October quite 1,300 natives had left New Brighton alone, but his official figures were 800), and that his following was, therefore, a much smaller one than when he was arrested. Also they had been taught a very severe lesson—one they naturally did not wish repeated, particularly as it was known that a Commission was being appointed to enquire into their supposed grievances, and they were fully persuaded that these would be redressed to their liking.

It is observed that no mention is made in the report of the cutting of the telephone and telegraph wires, of the attempt to deprive the town of its petrol supply by setting alight to the largest petrol store in Port Elizabeth, or of the attempt to destroy the Power Station, which, had they succeeded, would have plunged the town in darkness.

No doubt the members of the Commission would reply that these events took place only after the shooting, and that therefore they should be regarded as acts of revenge, but I submit that not even intelligent Europeans, unless they have had military experience, would have thought on the spur of the moment of depriving their opponents of things so necessary to them in the circumstances as the means of getting about quickly—communication and light. I am, therefore, strongly of opinion that some sort of plan had been decided upon to meet what they anticipated might happen. Neither is anything said about the fact that quite a considerable number of shots were fired at New Brighton during the evening of October

23rd last, which is ample proof of the fact that some of the natives living there were in possession of arms. The fact that powder magazines and the premises of dealers in arms had many times within the past couple of years been broken into and large quantities of ammunition and arms stolen and that many of these thefts had been traced to New Brighton and that only a comparatively small quantity had been recovered, is not mentioned: yet evidence was given on these points.

In this connection I beg also to point out that if every native or other person charged with a serious offence is to be at once released from custody because his friends demand it the laws of the country would at once become a dead letter, with results that should be perfectly plain, even to the members of the Commission.

In para. 69 it is said that the civilians came into the Police Station singly and in groups. This is apt to give a wrong impression. They had been congregated on the side walk close to the Police; had several times requested to be allowed in and had been refused. They again proffered their help when it was seen that the charge of the four mounted men had failed and that the natives were rushing back, and their offer of assistance was accepted. They had then to make their way through the police on the steps as best they could, and naturally could not arrive in a body.

I did not ask them, in passing, not to fire unless they had orders to do so, but gave a definite order to that effect to those who were in the store-room at the time I was there, and as only fifteen civilians were armed on that afternoon, very few of them, if any, could have failed to hear me. It is correct that no officer was placed in command on the balcony, but it had not entered my head for a moment that firing would take place unless I ordered it, and I am certain none would have taken place just when it did had the natives not fired first, and this caused the defenders of the building to suppose an order to fire had been given. Matters had reached an almost desperate pass and I am satisfied that it would have become necessary within a very short while for me to give the order to fire, but before doing this I would certainly have sent a reliable N.C.O. to take charge of the balcony, and he would have received definite instructions as to what was expected of him and the men he would have charge of. Colonels Wares, Cumming and Walton will corroborate me when I say that as I despatched each of them that evening with a piquet I impressed upon them very strongly the necessity for not firing unless it was absolutely essential for the safety of the Europeans or property.

The points raised in paras. 71, 72 and 73 have already been dealt with.

In the concluding paragraph it is alleged that all the firing which took place after the mob broke was against fugitives, that it was unnecessary, etc., etc. I am not fonder, I think, than the average man of seeing human lives unnecessarily sacrificed, but I ask that when considering this matter it will be borne in mind that those civilians had twice before that afternoon seen the mob break or partly break and immediately return when the cause for the break no longer existed. I refer, of course, to the charge by the mounted men and when the hose was first turned on.

In my reply to the points raised in para. 36 I omitted to mention, as an indication of the gravity of the position, that when I returned to the front steps after taking the leaders of the natives to see the Magistrate in my office I found that Sub-Inspector Hart and his men had been forced up three or four steps to the Charge Office, and that to prevent an entrance being effected it was necessary to take prompt measures, and I was on the point of giving an order to fire, but refrained, and went to order the mounted men to endeavour to clear our front. It was then the mounted charge was made, and not one civilian was in the barracks at that time.

I enclose, in duplicate, reports from Sub-Inspector Hart, Sergeant Orchison, Sergeant Hooper and Head-Constable Anderson, and trust the required information will have been supplied.

Mr. Stidolph is now at Upington, and I have forwarded to him a copy of the Commission's report and the Commissioner's telegram, with a request that he furnish the report asked for.

I have the honour to be,

Sir,

Your obedient servant,

(Sgd.) HALSE, Inspector,

District Commandant No. 14 District.

[Copy]

## LATEST TELEGRAMS : A.P.O. CONFERENCE.

TREATMENT OF COLOURED PRISONERS—PROPOSED EXTENSION OF DEFENCE ACT—FEDERATION  
OF COLOURED TRADE UNIONS.(Cape Town, Friday (*Reuter*)—

At the Conference of the African Peoples' Organisation yesterday alleged ill-treatment of coloured prisoners by the police was discussed. During the discussion it was urged that the Government should be asked to offer suitable remuneration to coloured men so as to induce them to join the police, and that the Government be asked to see that better treatment is meted out to coloured prisoners.

The President (Dr Abdurahman), after stating that he agreed with everything which had been said, proceeded: "I don't know what has come over South Africa. I am surprised that the coloured people do not often assault the police. I am surprised that you don't hear something of the police being killed."

A motion was also carried asking the Government to grant compensation to the widows and orphans of men who were killed during the riots in Port Elizabeth in October last and to the men who were disabled as the result of the firing by the police.

Other resolutions called attention to the grievances of returned coloured soldiers, and requested the Government to form a coloured cadet corps, and that the Defence Act should be applied to coloured citizens in the Cape.

Another resolution was carried calling for the organisation of non-European skilled and unskilled workers, and the federation of various coloured trade unions.

*Eastern Province Herald, Port Elizabeth, 2nd April, 1921*

[Copy.]

## SOUTH AFRICAN POLICE.

Office of the Sub-Inspector,  
Port Elizabeth,

3rd April, 1921.

The District Commandant,  
South African Police,  
Port Elizabeth.

## RE NATIVE RIOTS: 23RD OCTOBER, 1920.

In compliance with instructions, I have the honour to submit the following remarks on the report of the Commission of Enquiry, which sat at Port Elizabeth during November and December last, to enquire into above. The numbers in the left-hand margin hereof refer to the numbered paragraphs of the Commission's report.

Para. 24.—The natives had sticks in front of the Police Station when they first came there, but when they returned later they had not only sticks, but stones, pieces of iron, twisted wire and axes. I saw one coloured man sharpening a piece of iron on the street in front of the steps.

Para. 25.—There was nothing half-hearted about the rushes at the police on the steps. Notwithstanding the fact that the police were armed with rifles and fixed bayonets we were forced back more than once, not by the few immediately in front, but by the force and weight of the crowd. So threatening was the attitude of certain of the rioters towards me that on two occasions I drew my revolver, but did not fire. The fact of drawing it had the desired effect for the time being.

Para. 27.—The rioters were encouraged by the failure of the mounted men to disperse them, and thereafter they became much more aggressive.

Para. 29.—The fire brigade was called out to a fire during the progress of the riot, therefore it could not be called to assist. I believe evidence to this effect was given before the Commission.

Para. 30.—Three rioters were killed immediately in front of the steps, two of whom fell at my feet and one in the water furrow about 8 ft. away; others were hit across the street in front and ran for some distance before dropping. It is not correct to say that the crowd started to disperse immediately after the first shot. They started when the collective firing started.

Para. 36.—The remark in brackets (if any) appearing after the sentence "It is certain that Inspector Hart and the two Sergeants who were nearest the danger" is very unjust and unfair. There was danger, and very real danger, too, not only of personal, bodily injury, but also serious danger of the mob forcing an entrance and releasing Masabalala.

Para. 40.—I saw the hole in the sleeve of Constable Grant's tunic. To my mind it was clearly made by a bullet. It was round with the edges forced in, and *was not* a clean cut, as reported by the Commission.

Paras. 45, 46 and 47.—The three bullet holes referred to were made from the outside. This fact was quite apparent as the glass was chipped off on the inside and pieces of it were lodged inside.

Para. 48.—That I did not see a revolver in the crowd is explained by the fact that my time was more than fully taken up watching the rioters immediately in front of and below me, who were all the time hitting at or seeking an opportunity to hit at the two Sergeants and myself, and the din and row may have accounted for me not hearing revolver reports.

Para. 51.—The evidence of Mr. Elliott was taken at his office after the Commission had finished enquiries at the Court House, and only two members, viz., Mr. Schweizer and Dr. Abdurahman and secretary, were present; Dr. Roberts had already, I believe, left town. This witness, in company with Mr. Kemp (referred to in para. 61), sat in a top window of the market buildings, at the corner of Castle Hill, and watched the riot. Mr. Elliott sat with his back to the entrance of the Police Station, and his position in watching was a strained one as he had to look round over his right shoulder. I was present when he was examined, and in the course of cross-examination by me, he admitted his hearing was none too good and that his sight is defective (he wears glasses). The fact that he did not hear the revolver shot referred to by Kemp may be accounted for by his defective hearing and also his uncomfortable and strained position. On the other hand, Kemp is a man who has had considerable military experience in the late war, and he says he distinctly heard a report from a small calibre revolver before the firing started. Mr. Elliott gave his evidence reluctantly.

Paras. 59, 60 and 61.—The evidence of these witnesses bears out very clearly the contention that the first shot was fired from a revolver and that it was from the rioters.

Paras. 63 and 64.—Miss Van Rensburg was the only European assaulted by the rioters with fatal result, but several others were more or less seriously assaulted, including H. Huowitz of Willowmore, and W. W. Jones, of the Public Works Department.

In conclusion I beg to emphasise the fact that in my opinion the rioters would eventually succeed in their object if no firing took place, and that although no order was given to fire, that order could not have been much longer delayed. I also attach for your information a copy of a statement I made before the inquest was held on the killed.

(Sgd.) M. J. HART, Sub-Inspector.

C.I.D. Office.

Port Elizabeth, 5th April, 1921.

The District Commandant,  
South African Police,  
Port Elizabeth.

#### NATIVE RIOTS AT PORT ELIZABETH: OCTOBER, 1920

Sir.—With reference to the above and the report of the finding of the Commission in connection therewith, I beg to report for your information as follows:—

The natives who were congregated on the Market Square between 1 and 2 p.m. and, later, outside the Police Station (*vide* para. 24, page 5, of the Commission's report) were armed with only one stick, whereas those who commenced to congregate outside of the Police Station between the hours of 3.30 and 5.30 p.m. were by a large majority armed with two sticks or fighting kerries. I had a very good opportunity to see reinforcements arriving from Korsten and New Brighton. I was at that time at the North End serving notices on the hotels to keep closed during the remainder of the day. I saw many hundreds of natives making for the centre of the city. I considered the position very serious and 'phoned warning Headquarters of what was taking place.

There can be no doubt, judging from the large numbers of sticks, pieces of iron, bricks, stones and pieces of glass picked up by myself and others outside the Police Station after the mob had cleared, that serious mischief was intended. The roads outside the Police Station are tarred, which goes to show that the bricks, stones, etc., were brought there by the mob.

With reference to paras. 63 and 64 of the Commission's report, I still state that my evidence given at the inquest is correct, and that six Europeans were seriously injured by the retreating natives. If the Commission had expressed a wish at the enquiry to examine the injured persons I have no doubt that they would have come forward to support me. The police are in possession of six affidavits of those who were seriously injured, their names being as follows:— (1) Arthur Herbert Lappin (now of Cradock); (2) William Nobel, 2, Gladstone Street; (3) William Valentine, Green Street; (4) Cornelius Hill Cockroft, Crown Butchery, Queen Street; (5) Jacob Sain, 11, Donkin Street; (6) Rudolph Jacobus Jansen Van Vuuren, 147, Queen Street.

In addition to the above, several Europeans received minor injuries.

(Sgd.) W. H. ANDERSON, Detective Head-Constable,  
No. 469.

[COPY.]

## SOUTH AFRICAN POLICE.

Walmer,

5th April, 1920.

The District Commandant,  
South African Police  
Port Elizabeth.

## NATIVE RIOTS AT PORT ELIZABETH: 23RD OCTOBER, 1920.

Sir.— With reference to your 1/42/21, dated the 4th inst., in the above connection also to my report attached, dated the 31st March, 1921.

My expression in the report "There were no natives then present, I meant to convey that there were no great number of natives. There were a few standing about in Baakens Street, but it did not strike me that there were any more than there might have been under ordinary circumstances. I was not with Sub-Inspector Hart for more than a few seconds. From what I could hear after a short period, the mob must have gathered rapidly.

(Sgd.) F. N. J. COOPER, Sergeant.  
2129 (M).

[COPY.]

## SOUTH AFRICAN POLICE.

Walmer,

31st March, 1921.

The District Commandant,  
South African Police,  
Port Elizabeth.

## NATIVE RIOT AT PORT ELIZABETH: 23RD OCTOBER, 1920.

Sir.— In the above connection, I have to report as follows:—

On receipt of telephone instructions from you on the afternoon of the 23rd October, 1920, I proceeded at once to Port Elizabeth, together with the mounted detachment under my command (Constables Buchanan and Pote).

I left this station at 4.5 p.m. Arrived at Port Elizabeth at 4.45 p.m. Immediately on my arrival I reported to Sub-Inspector Hart, whom I found on the steps of the Charge Office. There were no natives then present. I formed up in Military Road and out of sight of the Charge Office steps.

At about 5 p.m. I heard the voices of natives talking in an excited manner in Baakens Street. I gathered that they were at the Charge Office steps. Some few minutes later the talking broke into an uproar and six natives appeared round the corner, from Baakens Street into Military Road. One of the natives, evidently the leader, pointed to the gate to the back entrance to the Police Station, and they all moved towards it, evidently intending to scale it. I immediately got the men mounted and formed up in front of the gate. This movement evidently had a good effect as they all turned back from whence they came.

Some few minutes later, about 5.15 p.m., the District Commandant called me from the office window, and instructed me to form up facing Baakens Street and to charge if I saw that the natives were getting the upper hand of the police, but to wait for the "tip" before going on. On forming up in this position, I saw a very large crowd of people, mostly coloured, in front of the Charge Office steps. They were in a very excited and threatening mood. At the time I estimated the number at 2,000. Their excitement and threatening mood rapidly increased. They appeared to have been drinking. At this stage I noticed that Sub-Inspector Hart and the foot detachment stationed on the steps were being hard pressed. Word was passed to me by some one in the crowd that Sub-Inspector Hart wanted me. The crowd was too dense to get anywhere near him, and I could see no signal to charge. Consequently, I waited, but within two or three minutes I saw that the natives were apparently getting the better of the foot detachment and appeared to be gradually driving them up the steps. I gave the order to charge. (Just previously to this Constable Botha had joined me.) I passed through the crowd at a good pace. Constable Pote was unseated in the crowd but managed to remount. We all had a severe handling by the crowd, blows rained on ourselves and the horses: constable Buchanan's mount bolted after getting through, collided with a tram, and were both thrown. I formed up to return through the mob when Constable Pote's horse bolted towards me, collided, knocking both horses to the ground. Three out of the four were now dismounted. As I rose from the ground I saw a number of natives approaching and close

to me, with uplifted sticks. Knowing that the men I had were all dazed and that the natives meant to attack us, I fired one revolver shot in the air, almost perpendicular, in order to warn them off. This had the desired effect. I retired with the men to behind the verandah posts of Cleghorn's shop. After the men had pulled themselves round, I led them back to the Charge Office. The charge relieved the situation temporarily. The crowd soon returned and became more threatening.

In regard to the firing from the steps and the balcony, I estimate that it did not last any longer than thirty seconds.

(Sgd.) F. N. J. COOPER, 1st class Sergeant,  
No. 2129 (M.)

William Orchison, sworn, states:—I am a first class foot sergeant in the S.A. Police, stationed at Port Elizabeth. On Saturday, the 23rd October, 1920, I was on patrol duty in the streets from 9 a.m. to 1 p.m. At about 12.45 p.m. I passed through the Market Square. I noticed a crowd of coloured and native male adults assembled round the Obelisk. A native man was addressing them in Kafir. I stood with a Mr. White, a foreman on the transport, S.A. Railways, on the fringe of the crowd. Mr. White understands the native language and he told me that there was going to be trouble if the police didn't release Masabalala and the speaker was urging the crowd to go and take him out by force. I made a report to the District Commandant, Inspector Halse, who was in company with Sub-Inspector Hart at the time.

Subsequently, I received orders from Sub-Inspector Hart to retain the relief going off beat duty at 1 p.m. in barracks, also all the men going on duty at 1 p.m. with the exception of the men on point duty, and these were withdrawn at 2 p.m. I saw these two officers going towards the meeting on the Market Square. Shortly before 2 p.m. Sub-Inspector Hart gave me instructions to have all the single men in barracks armed and ready to be posted on the steps of the Police Station. Shortly afterwards I saw a large crowd of coloured and native male adults marching from the Market Square along Baakens Street towards the Police Station, they halted in front of the steps. By this time the police had been posted on the steps. Sub-Inspector Hart, Sergeant Brown and I occupied the bottom step next to the crowd. Sergeant Brown and I were not armed at the time. The crowd shouted out we want Masabalala, and cursed and swore at the police but did not then offer any actual violence. I noticed that a few of them were under the influence of liquor.

After staying in front of the Police Station for some time, a large number of them went to the foot of Castle Hill and had another meeting. This meeting lasted for some time and in the meantime all the police were armed. This mob again returned to the Police Station with their numbers greatly increased. A deputation was allowed to enter the Police Station to interview the Magistrate and District Commandant. The crowd now began to use violence, attacking Brown and I with sticks and kerries and the crowd being pushed in against our bayonets. The deputation then appeared on the steps with the Magistrate and the District Commandant. I think the Commandant addressed the mob first.

He informed them in a quiet and conciliatory manner that he could not release Masabalala and that they were to disperse and go quietly home. This information was received by the crowd with howls and curses. Mr. Stidolph, the Magistrate, then attempted to address the crowd but was stopped by the mob using obscene language. On account of the threatening attitude of the mob, the deputation were afraid to leave the Police Station.

The mob in front of the Station then attacked the police on the steps with sticks and kerries. Sergeant Brown and I received most of the blows on our rifles and bayonets, and were only saved from being overpowered by the narrow front in which they had to attack us. Three police could only stand abreast on the bottom step, our flanks being protected by concrete walls about 5 ft. 4 in. high and a thick concrete pillar on each side of the bottom steps. The mob tried all sorts of tricks to force a passage up the steps, pushing the front men on to our bayonets and striking the police with long kerries. Twice Sub-Inspector Hart, Sergeant Brown and I were driven by the mob to the third row of steps and a critical position was saved for the time being by four mounted police charging the mob in front of us. I saw the mob striking the horses and riders with sticks and a portion of the crowd followed them towards the Market Square.

Sub-Inspector Hart ordered Sergeant Brown and I to take six men and proceed as far as the Market Square, as he feared that some of the mounted men had been pulled off their horses. We went as far as Whites Road but could neither see the horses or riders. On our way back to the Police Station we were threatened by the mob with sticks. I formed the men up in close order with rifles at the charge and we were able to reach the steps of the Police Station safely, where we took up our former positions again. The mob by that time filled the whole of Baakens Street and were armed with all sorts of weapons. I noticed that several of the crowd in front of us had knives in their hands. They surged on to us, and two of them received wounds in their chests caused by the crowd behind pushing them on to our bayonets. About this time a jet of water from the fire hose was turned on the crowd from the balcony of the Police Station to try to shift the mob away from the steps. This only infuriated the mob and stones, a chopper and the nozzle of the hose were thrown at the police.

I received a blow on the left leg from the rebound of the nozzle from off the wall. The mob then closed in, attacking all three of us on the lower step with kerries, the constables behind us closed in with their bayonets over our shoulders. At this time I heard two shots fired and was under the impression that they came from the balcony. A fusillade was then opened in the rear of us and from the balcony. Several of the ringleaders of the mob were shot down in front of me, when Sub-Inspector Hart gave the order to cease fire as the mob had broken and were on the run. I also assisted Sub-Inspector Hart to carry out this order. The men were immediately formed up in front of the Police Station.

Sergeants Brown and Gibbs and I were ordered by the District Commandant to follow the mob up in motor cars to the North End and not to use any violence unless attacked. The cars contained armed police and returned soldiers. I came up with a large number of the mob at the junction of Queen and Princes Streets, where they had slowed down on meeting a large body of natives (armed) marching towards the Market Square coming from the direction of the North End. On seeing the police in the motor cars they dispersed in all directions, the majority making for the rough ground behind the municipal yard and to the foothills, west of Korsten. I followed them up beyond Sydenham, this being the furthestmost point from town where I knew Europeans resided. Between the time the mob were dispersed at the Police Station and when the police caught them up at the North End, over 30 Europeans had been brutally assaulted by natives, six of them were taken to the hospital and were detained there. The prompt despatch by the Commandant of armed men in motor cars saved a serious situation at the northern end of the city, as the mob were beginning to rally when we came up to them.

I am of the opinion that the arrival of the police was the means of saving a large number of Europeans residing at this portion of the city towards Korsten and New Brighton location from being assaulted or murdered by natives. All assaults on Europeans took place in the Market Square, Jetty Street, Main Street and the upper portion of Queen's Street. At about 8.30 p.m., same evening, I was ordered by the District Commandant to take five armed constables and drive out to Korsten in a motor car and keep same under observation, and also to cover the sentries on duty in front of the Port Elizabeth Municipal Power House, Uitenhage Street.

At about 10.20 p.m., when patrolling Sydenham, I received information from a Mr. Jones and Ackerman, that a large body of natives had left Korsten and were proceeding in the direction of York Road and the Power House, and that they were then behind the plantation between Korsten and York Road. I immediately proceeded to York Road to cut these natives off. After clearing Kohler's timber store, which is about 400 yards long, I came up with this body of natives; they were crossing a ditch which drains the North End Flats into the Salt Pan. They covered a frontage of about 200 yards, their right flank was about 80 yards from us and their left about 200 yards. When they saw us emerge from the cover of Kohler's store, they started shouting and those nearest to us threw stones at us. I ordered Harry Cutting, the driver of the car, to back the car under the cover of the store to make our left flank secure. I then noticed a large body of natives running round to our right, evidently with the intention of cutting us off from the city. It was moonlight at the time. The car was driven away from them, but on account of the rough ground and 10 inch water-pipes behind us, we had very little room to manoeuvre in. When this mob of natives were about 40 to 60 yards away, I called out in a loud voice, in English, "Stop! or I will fire on you." They took no notice of this order but still continued to close in on us, their leaders being in front. I ordered the constables in the car to fire two rounds in the air, but this had no effect. I then gave orders to shoot the leaders and also fire at the ground line at the main body in rear. I fired, and we all emptied our magazines into the mob of natives, who then broke and fled. On seeing them run away I ordered the cease fire, which was immediately carried out. When we were firing I instructed the driver of the car to keep moving and keep in touch with the mob, this completed their rout. On passing over the ground where the firing took place, I saw four native men lying there; I thought they were dead. I followed the mob of natives towards Korsten, they then went into the hills where we were unable to follow.

I then returned to where the four natives had been lying, but only found one and he was dead, the other three having been removed. In searching this ground the following morning, I found choppers, axes, butchers' knives, bars of iron and two kerries smeared with blood, they also had bullet marks on them. On the further side of the ditch we found the spoors of persons having been dragged away, also numerous trails of blood which indicated that a number of natives had been wounded the previous night. For several nights after this I was on patrol from 9 p.m. to 6 a.m., but no further attack on the police took place.

In conclusion, I beg to state that I have served over 20 years in the Police at Port Elizabeth, also 7 years and 9 months in the Black Watch Royal Highlanders in Ireland and the East. I was present at riots in Belfast and Cairo, and I know of no more dangerous man than the Cape native armed with a kerrie, his object is not to disable but to kill you. Most of the respectable coloured and native people held aloof from Masabalala. The coloured, with Hottentot blood, joined him to a man, and their leaders preached violence towards the Euro-

pean population. From affidavits I have taken and inquiries made, I find that at the North End of the city great anxiety prevailed a week prior to the riots owing to threats made by native and coloured males going to and fro to their work.

During the afternoon of the 23rd, large parties of natives marched into Port Elizabeth from the surrounding districts armed with kerries and blankets wrapped round their arms ready to fight, and were in a very excited state. Owing to the threatening attitude of these natives most of the European population who were in the main thoroughfares cleared into the side streets to avoid them. I am convinced that if Masabalala had been released that afternoon it would not have saved a serious disturbance that night in the city. All the disorderly element, both coloured and native, were making for the centre of the town.

If Masabalala had not been arrested there would have been a serious disturbance on the 25th, as all coloured and native labourers, domestic servants, store boys and others were coming out on strike on that day, and would have used violence against Europeans owing to inflammatory speeches made by agitators against same. With reference to the firing which took place without orders, it would have been very difficult to have heard any order given owing to the shouting and screaming going on at the time. One shot fired by the police or the mob would have started a fusillade. At any moment I expected to hear the order given to fire on the mob before I heard the first two shots fired. The reason Sergeant Brown and I did not fire on the mob when the firing started was that up to the time the rioters were shot down by the police in the rear of us, the mob were hitting at the police on the bottom step, and we had no time to load our rifles. A coloured male named Cornelius Botha, even though mortally wounded, tried to cut me down with a stick and was shot again by a constable standing behind me.

With reference to the Commission's report that they were only half-hearted blows struck, I produced my rifle when giving evidence before them and showed them the numerous dents on the stock and barrel. I consider that numerous blows were struck and not half-hearted, as stated in the Commission's report (*vide* pages 5 and 6, para. 25). I am of the opinion that the release of Masabalala would not have satisfied the mob: their intentions were to kill all the police and obtain possession of all the arms and ammunition. If they had been successful they would have looted the liquor bars, and the inhabitants of Port Elizabeth would have suffered a night of rapine and murder which South Africa up to the present has not known.

(Sgd.) W. ORCHISON, 1st Class Sergeant.  
No. 175 (F).

Before me at Port Elizabeth this 6th day of April, 1921.

[Copy.]

UNION OF SOUTH AFRICA.

Office of the Magistrate,  
Uppington, 5th April, 1921.

The District Commandant,  
South African Police,  
Port Elizabeth.

NATIVE RIOTS: PORT ELIZABETH.

With reference to your minute 1/42/21 of the 1st instant, I have very little to add to the evidence given by me at the inquest and before the Commission.

I should like to say that I wholly disagree with the finding of the Commission to the effect that the Inspector of Police exercised his discretion unwisely in refusing to release Masabalala on bail in the forenoon of the 23rd October. There is no doubt whatever that for some weeks prior to the 23rd October the natives at Port Elizabeth had been causing very considerable unrest and anxiety amongst the European population of the city—there had been threats of strikes and pillage, practically every domestic servant had been intimidated or coerced, and I had received several complaints of open defiance and threats on the part of domestics towards European ladies. Generally, the nerves of the Europeans, especially the ladies, were on edge as a result of the truculent attitude generally of the natives, and there is no question that Masabalala was the *fons et origo* of this attitude. He was urging on the natives to make preposterous demands of wages, and from what could be gathered his language was inflammatory in the extreme—he never suggested that constitutional procedure of asking the employers to meet the natives to discuss the question. His whole attitude was one of bravado and bluster. His attitude was not, moreover, approved by many of the older and more respectable natives and coloured people, but he had obtained such a sway over the raw native that the more peaceably disposed natives were overawed and afraid to try con-

stitutional methods. As far as I was able to ascertain, about half of the natives and coloured people disapproved of Masabalala and his methods. After his arrest the Inspector of Police and I visited New Brighton, and we were assured there by natives that from the moderate native's point of view the arrest was the wisest step that could have been taken and one which was likely to avoid further trouble. Unfortunately this opinion was not confirmed, owing to the fact that Masabalala's evil influence had so inflamed the natives that they were ready for any mischief. I was not approached with regard to bail until 4.30 p.m. (when I first heard of the disturbance). I do not know in what manner Inspector Halse was approached, but seeing that the natives were legally represented by Attorney Norval Brown it would have been more becoming of them to have applied for bail through their own legal representative. I consider Inspector Halse was fully justified, taking into consideration all the events of the past weeks and the attitude of the native, in declining to accept the responsibility of allowing Masabalala out on bail, and especially in view of the threat that if he were not allowed out he would be forcibly released. In my opinion it would have been the gravest mistake, once the question of force and hostile show had been introduced, to have given way in the slightest.

I also take exception to the finding of the Commission (sec. 69) that a few civilians were *asked* by the Magistrate not to fire without orders. I personally gave an express order to the men that *under no circumstances* were they to fire without orders; this is borne out by the Commission's own finding at sec. 29.

In conclusion I should like to say that I had ample opportunity of judging the temper of the natives as I stood on the Police Station steps for twenty minutes attempting to address them, and I am convinced that nothing but firearms would have prevented them from attempting Masabalala's rescue.

(Sgd.) C. E. STIDOLPH, Magistrate, Upington.

## UNION OF SOUTH AFRICA.

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LETTER addressed to the Acting Prime Minister by the Members of the Commission appointed to enquire into the Native Riots at Port Elizabeth on the 23rd October, 1920.

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*Printed by direction of the Acting Prime Minister.*

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SIR:—In December last the undersigned were appointed by the Prime Minister as a Commission to enquire into, and report “upon the causes of, and the occurrences at, the Native disturbances at Port Elizabeth, which took place on the 23rd October, 1920, and the general economic conditions as they affect the Native and Coloured population.” The Commission began its enquiry on the 22nd November and concluded on the 4th December, and altogether 69 witnesses were examined and their evidence recorded.

From the records of the inquest which were put in, it was clear that Captain Halse of the South African Police, and the men under his command on the 23rd October were responsible for the shooting that took place, and that the question whether the shooting was justifiable or otherwise under the circumstances, would be the most important one for the Commission to enquire into.

On the 11th January the Commission delivered its report and the whole of the evidence taken to the Prime Minister—the evidence covering 285 pages typewritten foolscap. The report has recently been printed and published, and circulated amongst members of Parliament.

The evidence upon which the report was based is, however, not attached thereto, but certain *ex parte* correspondence, which has recently taken place between the Secretary of the South African Police and the deputy Commissioner of Police, Grahamstown, and Inspector Halse, of Port Elizabeth, has been attached thereto with the obvious intention of qualifying and detracting from the report.

This seems to be a most extraordinary proceeding which cannot be otherwise construed than as a reflection upon the impartiality of the members of the Commission.

It may be quite regular and proper that the report, after having been delivered to the Prime Minister, should be brought to the notice of the Commissioner of Police or the Minister of Justice, and that an explanation should be demanded from any officer or member of the Police whose conduct or behaviour may have been adversely commented upon in the report; but to attach the explanations or opinions, which are received from such interested persons, to the report of the Commission appears to us to be irregular and improper; for if the police officers and men who were actually concerned in the shooting at Port Elizabeth, are to be allowed to sit, as it were, in appeal upon the decision arrived at by the Commission, then it is difficult to understand why the Government had not accepted the police report of the occurrences given at the inquest as final and conclusive, and there would have then been no necessity for the appointment of a Commission to make the full enquiry.

The question now naturally arises, which report is to be accepted: that of the Commission specially appointed, and who personally examined the witnesses and heard their evidence, or that of Colonel Davie, who was not present either at the shooting or at the enquiry, and that of Captain Halse, who was the party most directly concerned in the unfortunate affair?

We may fairly be allowed to ask why our report was referred to the Police for consideration and comment, and their statements and comments thereon not referred to us before being attached to, and published with, our report.

The action of the Government in publishing our report in the manner complained of, forces us into the undignified and odious position of having to vindicate our findings, which have been called into question by the Police. In doing so we pass over the unworthy reflections which were made by Captain Halse upon our impartiality, and proceed to deal with the facts as disclosed by the evidence which, as already stated, has unfortunately not been attached to our report.

1. Captain Halse complains of the Commission's decision that not he but Major Hutchons was allowed to put questions on behalf of the Police. The answer to this complaint is that it seems on the whole more satisfactory to the Commission that the senior officer, Major Hutchons, who was in no way implicated in the affair should watch the proceedings on behalf of the Police, call witnesses and put questions. But there was no objection to Captain Halse being present and instructing Major Hutchons. As a matter of fact he was present and instructed his senior throughout the whole of the proceedings, and both he and Major Hutchons appeared to be perfectly satisfied with this arrangement. Mr. Msimang was allowed to watch the proceedings on behalf of the natives and to put questions, etc., with Mr. Brown to assist him in the same way as Captain Halse assisted Major Hutchons.

At the conclusion of the enquiry, Major Hutchons asked to have it recorded that he, on behalf of the Police, thanked the Commission for the patient hearing and the courtesy displayed towards the members of the force.

2. Captain Halse complains further that no evidence was taken with regard to certain sticks, a hatchet, and certain other articles produced by the Police. In the first place, none of these exhibits had been labelled for identification. Sergeant Anderson's evidence at the enquiry in regard to these exhibits, was as follows (page 208 of evidence):—"My men collected most of the sticks produced. They were lying about the Charge Office, and some of them taken from the natives by the Police. The sticks have never been counted. I can swear to these sticks being the same as picked up in the street. Eventually they were put down in the strong room. *I cannot swear all these sticks were picked up in front.* The constables almost invariably removed the sticks from the boys. I can show you knobkerries and all sorts of things. We have an accumulation of sticks here" (i.e., on the Police premises.) The evidence of this witness, as well as his whole demeanour, left a most unfavourable impression upon the Commission, and even Major Hutchons considered his evidence most unsatisfactory.

3. Captain Halse, now, denies that the natives were prepared to deposit a substantial sum for Masabalala's release. He also denies that he peremptorily refused to accept bail, and that he merely told them that "he (the Magistrate) had informed him that he would not accept bail." Comparing this with his evidence at the enquiry (page 241): "I heard that the men were prepared to offer payment to any amount, but I told them that I would not admit to bail." Again, "They wanted to know if bail would be allowed. I refused bail. I went to the Magistrate to suggest that he, Masabalala, could not be admitted to bail, and Mr. Stidolph (the A.M.) said that he would not be admitted to bail. We could have bailed him out."

4. Captain Halse expresses surprise that the Commission should be uncertain where the first one or two shots were fired from, and adds: "that there should be any doubt on this point astonished me." Yet in his evidence at the enquiry he was not quite so certain, for he said: "There were one or two shots fired. I do not know where they were fired from. It is possible I heard the two shots referred to by one of the witnesses, Erasmus. I do not say any shots came from the crowd."

5. Captain Halse says that he personally stated at the enquiry that he saw three dead bodies almost up against the steps, also *one* in the middle of the street, and *several* more near the Market Buildings, "*all immediately in front of the steps.*" His evidence at the enquiry, however, was very different; he said: "I am certain there were two men lying on the ground, *probably three.* I cannot say what the casualties were. I saw *two or three* dead in the street in front" (i.e., in front of the steps). This evidence was corroborated by Lieutenant Hart, Privates Grant, Erasmus, Smith, Olckers, Worthy, McPherson, Payne and several other witnesses. He further stated at the enquiry: "I saw two bodies near the corner of Market Buildings" (that is at Castle Street Corner, which is a considerable distance up the street) "*and not immediately in front of the steps,*" as now stated by him.

6. He complains of the gratuitous insult to the Police contained in paragraph 54 of the Commission's Report. All that is obviously intended to be conveyed by that paragraph is that no order to fire having (admittedly) been given to the men, the onus of justifying their firing, under the circumstances was necessarily thrown upon them. Whether they succeeded in justifying the firing is, of course, quite another question.

7. Captain Halse also disputes our finding in paragraph 36, and says: "There were dozens of natives hitting over the shoulders of the front rank, and that besides Lieutenant Hart and Sergeant Orchison seven or eight others had been hurt, but that nothing is said of this by the Commission." It is true that nothing has been said of this, because there was no evidence whatever of that kind by any single witness. On the contrary, Lieutenant Hart, who stood in the front rank, stated (page 175): "Several were striking at us; those blows were parried by the rifles and bayonets. I had a bruise, but nothing serious. There were no serious injuries. *The men on the steps behind me could not have been hit by sticks*" (page 187.)

8. Captain Halse distorts the evidence of Mr. Elliot, who stated very definitely that the first two shots were fired from the porch, and that then the firing commenced from the balcony. He likewise distorts the evidence of the Rev. Diedericks, whose evidence impressed the Commission very much.

As regards Constable Anderson's evidence to the effect that other assaults on Europeans were made, Captain Halse admits that he was not present when Anderson gave his evidence. Had he been present he probably would have agreed with the Commission and Major Hutchons that the evidence of this witness was, to say the very least, most unsatisfactory. He also complains that we took no notice of Zidzuma's evidence. Here he is wrong again for it was generally on the evidence of this witness that the Commission gave its finding in paragraph 66 of the report.

9. Captain Halse in reverting to the question of bail justifies his refusing to accept the bail on the ground that he had "*no discretion in the matter*", and is *positive* "had Masabalala been let out on bail there would have been serious trouble." But in his evidence at the enquiry he stated as follows: "A deputation from the Square (*i.e.*, in the forenoon) came to me; they wanted to know if bail would be allowed. I refused bail. The Magistrate had previously told me he would not admit to bail. I went to suggest that he should not be admitted to bail, and Mr. Stidolph said if the man was arrested he would not be admitted to bail. We could have bailed him out . . . if I allowed him out on bail the shooting would not have taken place, but I did not *guarantee* that there would not have been trouble elsewhere . . . he has since been released on bail, and nothing has happened."

10. On the question of arrest and bail Mr. Stidolph now states: "I was not approached *re* bail until 4.30 p.m. on the 23rd October. I consider Captain Halse was fully justified in declining bail. Captain Halse showed me the affidavit before the arrest. I thought it wise and agreed with the idea (of the arrest). On the morning when Masabalala was arrested I went to New Brighton with Captain Halse . . . he could have been bound down to keep the peace, but it would have been of little use. He was an incendiary and agitator of the worst type. I went on what Captain Halse told me . . . We talked the matter over and agreed that we should refuse bail. I did not issue any warrant. Magistrates issue warrants as seldom as possible, *the idea being that the Magistrate should not see the evidence before the case comes before him*. In the ordinary course the preliminary examination would have been held here. Colonel Du Toit suggested that it should be held in Grahamstown. I opposed it. I take it . . . that if he had been allowed out on bail at one o'clock there would have been no disturbance out here."

It would appear from the above evidence that there was an agreement or compact between Captain Halse and the Acting Magistrate that Masabalala should be arrested and that any application for bail should be rejected under any circumstances, and that had the preliminary examination been held in Port Elizabeth Mr. Stidolph would have taken his place on the Bench in the pose of an unbiassed and impartial judge, while Captain Halse would have appeared as prosecutor.

11. In referring to the finding of the Commission in paragraph 69 of the report Captain Halse says there were only fifteen civilians armed, that as a matter of fact there were according to his own evidence at the enquiry considerably more. He said at the enquiry: "I did not count the number of men under arms, there would probably be altogether 63. There were 40 rifles in the store; they were all issued." As a matter of fact the Police Force numbered 23 N.C.O.'s and men. There were 40 outsiders armed, ten of whom were railway constables and the remaining 30 were civilians.

12. He now admits that he did not ask them not to fire without orders. "I gave a definite order to that effect to *those* who were in the store room at the time I was there." In his evidence at the enquiry he said: "I handed ammunition to *two* or *three* returned soldiers, and warned *them* not to fire without order." He admits that no one was placed in charge of the men on the balcony, and that he did not place civilians in position but simply told them to go "upstairs."

Smith (a civilian) stated : " I came to the Police Station and had a rifle and ammunition served out to me. I saw one or two going in and I followed. I took up a position at the window in the Charge Office. I saw no one in authority. We posted ourselves where we wished to."

Olickers (a railway constable) stated : " I do not remember anyone saying I was not to fire until I was told."

Morgan (a civilian) said : " I was on the balcony, there was no N.C.O. in charge. I heard no order of any kind. I met Captain Halse on the landing. He said, ' go upstairs '."

Becker (a civilian) said : " I went upstairs and asked for a rifle and also got fifty or sixty rounds of ammunition. There was a case of ammunition opened ; we were all helping ourselves. A civilian at the back shouted ' cease fire.'"

Mr. Stidolph takes exception to the finding of the Commission (paragraph 69) that a few civilians were casually asked by the Magistrate not to fire without orders and then proceeds to say : " I personally gave an *express order to the men* (presumably he means all the men) that under no circumstances were they to fire without order ". The following, however, is his evidence at the enquiry (page 156) : " As *two or three* passed me, I said, ' Look here, you fellows are not to fire without orders ' (page 160). I told the men not to fire but that was in the nature of a *friendly warning*."

13. As regards the opinion and views expressed by Colonel Davie on the report and findings of the Commission, all that need be said is that as he was not present either at the disturbance itself or at the subsequent enquiry it is a presumption on his part to offer any opinion on the facts of the case, and an impertinence to criticise the findings of the Commission. Moreover it is clear from his remarks that he has not taken the trouble to read through the record of the evidence taken at the enquiry, but has simply contented himself to base his conclusion upon the statements submitted to him by Captain Halse in response to his request for a report. In any case, however, the comments we have made above are sufficient to cover the views expressed by Colonel Davie in his letter to the Secretary of the South African Police.

In conclusion, we have now to request you, Sir, to be good enough to submit this letter to the Select Committee on Native Affairs, and also to have it printed and circulated among the Members of Parliament, before the Second Report of the Select Committee on Native Affairs is considered by the House of Assembly.

We have the honour to be,

Sir,

Your obedient servants,

C. A. SCHWEIZER,

A. ABDURAHMAN,

ALEX. W. ROBERTS.

To the Right Honourable the Acting Prime Minister, Cape Town.

# APPENDIX F

I.C.U.

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Industrial and Commercial Workers'  
Union of Africa.

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## RULES AND REGULATIONS.

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Adopted on October 24th, 1921,

BY THE

Annual Conference held at Port  
Elizabeth.

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Printed by A. HOLDER, 37-39, Church St., Cape Town.

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# RULES AND REGULATIONS.

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## I. Name.

The name of this organisation shall be the "INDUSTRIAL AND COMMERCIAL WORKERS' UNION OF AFRICA," hereinafter referred to as the "I.C.U."

## 2. Preamble.

The purpose of the Organisation is to combine in one body all persons engaged in Industries and Commerce—Loading, Discharging and Coaling Vessels, Agriculture Mining and Domestic pursuits, and all branches of the various semi and unskilled labour.

## 3. Objects.

The objects for which the Organisation is established shall include ;—

- (a) To regulate and protect the wages and conditions of labour, and to improve and foster the best interests of its members,
- (b) To protect and regulate the conditions of work in the farms, and to promote the general and material welfare of the members engaged in agricultural operations, and to help them to obtain a living wage, and reasonable contracts, and to do all possible to afford members evicted from farms protection and care
- (c) To see that all females in industries and domestic services are protected by the Organisation by encouraging them to enrol in all branches of the I.C.U., and to help them to obtain a living wage.

- (d) To promote industrial peace by all amicable means, to prevent strikes or lock-outs, and to make industrial agreements.
- (e) To provide legal assistance to the Organisation or its members.
- (f) To take shares in any syndicate approved by the General Executive Council.
- (g) By co-operation, insurance, sick and out-of-work benefit, old age pensions, and by such other means as the I.C.U. may from time to time determine.
- (h) To establish branches of the Organisation throughout the African continent.
- (i) To join with other Unions, and to become attached to or federated with other Unions, and to be represented on public bodies or Unions.
- (j) To direct the payment of entrance fees, contributions, levies or dues upon persons desirous of becoming members.
- (k) To advocate for the industrial advancement of the Black races, *i.e.*, to erect or purchase land or buildings.
- (l) To constitute, conduct, carry on, and manage clubs in the interests of the members, and generally to carry out such other objects as the General Executive Council may from time to time think fit.
- (m) To render financial assistance to any other Union, or to a branch of this Organisation.
- (n) To impose levies upon members to carry out the above objects, or for such other national purposes as the General Executive Council may from time to time decide.
- (o) To raise funds by any other means to carry out the said objects.

- (p) All monies expended for any or all of the above objects shall be deemed to be part of the ordinary expenditure of the Organisation.

#### **4. Government of the Organisation.**

The Government of the Organisation shall be vested in the General Executive Council, elected at headquarters, Cape Town, with the Supreme Executive Council composed of eight (8) members, namely: - The President, Senior and Junior Vice-Presidents, including the General Secretary and Assistant General Secretary drawn from the two Provinces, as elected at the Annual Conference.

#### **5. Duties of Supreme Council.**

The duty of the Supreme Council will be to control all questions of Industrial disputes and other matters of grave importance, as affecting the Organisation, and shall meet once in each year, or as often as occasions require.

#### **6. Power of the General Executive Council.**

- (a) The General Executive Council shall have full power to manage, carry out, and conduct all the affairs, objects, and business of the Organisation, and such powers shall include:--
- (b) The powers of the General Executive Council shall include the full control of the Branches and the members of the Organisation.
- (c) The power to give or withhold approval of any rules already existing or hereafter passed by the Branches
- d) To suspend or remove from office any officer of the Organisation, or of any Branch

- (e) To demand or cause to be made an audit of the books and accounts of any Branch of the I.C.U., and for that purpose to demand delivery of and take possession of all books of accounts, documents and other writings from any branch or officer thereof,
- (f) To vote or set aside or rescind any resolution, act, matter, or anything carried or done by any District Committee.
- (g) The General Executive Council shall meet at least once every month, and at such other times as the said General Executive Council may from time to time determine, and may hold special meetings on a requisition signed by three members of the General Executive Council.
- (h) The President shall also have full power to call a special meeting at any time.
- (i) A quorum of the General Executive Council shall consist of five delegates, including the President.
- (j) A record setting forth the attendance of members of the General Executive Council, and a report of the proceedings shall be sent to each branch.
- (k) The expenses of the Officers to the General Executive Council and Supreme Council Meetings shall be paid by the Organisation.

### 7. Annual Conference.

- (a) An Annual Conference of direct representatives shall be held alternately in each Province, with power to recommend to the members of the Organisation any matter for the benefit of its members.
- (b) Each branch shall be entitled to one representative for every two hundred financial members or fraction thereof.

- (c) That at all future Conferences only credentialed delegates be entitled to vote.

### **8. Registered Offices.**

The Registered Office of the I.C.U. shall be at Cape Town, South Africa.

### **9. Officers of the Organisation.**

- (a) The Officers of the Organisation shall consist of three Trustees, a President, General Secretary, Organiser-in-Chief, and such other Officers as the General Executive Council may from time to time determine.
- (b) No member shall be eligible to hold any office or position unless he is a financial member of the I.C.U.

### **10. Duties of Officers.**

**President.**—The duties of the President shall be to preside at all meetings of the General Executive Council and at the General and Special Meetings of the Organisation. He shall maintain order and decorum at such meetings, and shall see that the rules of the Organisation at all times are observed. He shall refuse to submit an unconstitutional or illegal motion to the General Executive Council Meetings, or for the consideration of the Branches.

## **II. Trustees.**

The General Executive Council shall elect three Trustees, and all the property of the Organisation shall be held by them upon trust for the Organisation. They shall be elected annually. All surplus funds shall be deposited in the name of the Organisation in any Bank in South Africa with the approval of the General Executive Council, and they shall make such investment on behalf of the Organisation as the General Executive Council may from time to time authorise or direct.

## **12. Removal from Office.**

Any Officer other than the General Secretary of the I.C.U. shall be removed from his office or position as a majority vote of the General Executive Council at a meeting specially summoned for that purpose shall so decide.

## **13. Finance Committee.**

Instead of the appointment of a Treasurer, each Branch shall elect three members to be known as the Finance Committee, whose duties are to see that the respective Branch Secretaries do carry on financial matters properly. The Finance Committee shall periodically inspect the Financial books of the Branches at least not more than twice a month, except those books at the head office, which will be inspected not more than once a month. They shall also report thereon their finding to the respective Branch Committees. The members of the Finance Committee shall be elected in every branch annually, and such men to hold this office shall have the necessary qualifications of book-keeping.

## **14. Funds : How to be used.**

- (a) The funds of the Organisation shall be used for purposes connected with and incidental to the objects and business for which this Organisation is formed.
- (b) No moneys shall be disbursed, except for purposes incidental to the ordinary expenses as set forth in or arising out of the enforcement of these rules. All cheques shall be signed by one of any trustees, President and the General Secretary.

### 15. General Secretary.

- (a) The General Secretary shall be elected every two years by the members at the Annual Conference. The General Secretary shall be a member and representative of the Organisation on the General Executive Council, with the same powers and privileges as duly elected representative, and his duties shall be to carry out the instructions of the General Executive Council; to keep a correct record of all proceedings of the General Executive Council and of the Organisation; to conduct all correspondence, to keep accurate accounts of all monies received and expended by the Organisation; to submit all books, vouchers, receipts and papers to the Auditors when required; to submit a financial statement to the Conference at its sitting each year; and to perform such other duties as the effective carrying out of these rules may require. If at any time it be deemed advisable to suspend or remove the General Secretary for any reason, he may be immediately suspended by the General Executive Council who shall notify each Branch forthwith of the fact, and the reasons thereof, and the Supreme Council shall be called upon immediately to consider and determine whether the action of the General Executive Council shall be endorsed, and the matter shall be settled as the majority of members at such meetings so decide. Should he desire to resign his position at any time, he shall give three months' notice, and the same notice be accorded him should the Union at any time desire to dispense with his services, unless a charge of dishonesty or misconduct be preferred, when he shall be suspended as previously mentioned.

- b The General Secretary shall keep a register of the members of the Organisation at his office, which may be inspected by any financial member during office hours.
- c The General Secretary shall be the registered officer of the Organisation.
- d The General Secretary shall be the person to sue or to be sued on behalf of the Organisation.
- e The General Secretary shall receive such salary as the General Executive Council may determine.
- f The General Secretary shall pay all moneys of the Organisation into the Standard Bank of South Africa or any other approved Bank regulary as they come to hand, and under no circumstances shall moneys be kept in his possession longer than 48 hours after being received.

#### **16. District Committee.**

- a Notwithstanding the appointment of the said General Executive Council, there shall be constituted in each Branch a District Committee to regulate and control branch affairs and matters only, and to report to the General Executive Council, but nothing in these Rules contained shall authorise or confer upon the District Committee any power or authority for such District Committee to exercise any of the functions of the General Executive Council, or to act contrary or in opposition to the General Executive Council, or to do any acts affecting the rules of the Organisation, or to make any agreement binding the Organisation, or to directly or indirectly cause a strike, stoppage of work, or a refusal of two or more members in combination to offer their services for work.

- b The respective District Committee shall have power to make rules for the election, removal and the terms of office of each member of the District Committee.
- c Any District Committee may remove a delegate at a special summoned meeting called for that purpose, and may appoint another in his place, but the General Executive Council may not remove one or more of its members unless a three-fourths majority of delegates shall approve.
- d Each officer shall hold office for the term of twelve months, or until his successor is appointed, from the date of the annual elections of the officers filling the place of a delegate who has resigned or been removed by the District Committee, or whose office has become vacant through death, shall hold office until the next annual election of officers by the District Committee.

### **17. Organiser-in-Chief.**

Notwithstanding the appointment of the General Secretary of the whole Union, there shall be the Organiser-in-Chief, who will also be elected at the Annual Conference. His duties shall be to propagate the cause of the Organisation. The Organiser-in-Chief shall tour throughout the Union of South Africa and beyond in the interests of the I.C.U., for the purpose of opening new Branches, and also for visiting existing Branches as the case may be. He shall in no way work in conflict with all the scheduled programmes set forth from time to time by the General Secretary at the Head Office, which scheduled programmes are to be approved by the General Executive Council. At least the Organiser-in-Chief shall work in conjunction with the General Secretary. He shall also send to the Head Office

his monthly reports and travels. In case of suspension of services or resignation of the Organiser-in Chief, he shall be subject to same conditions applying to the General Secretary. His wages shall be arranged by the General Executive Council at head-quarters.

### 18. Auditors.

Two Auditors shall be appointed annually by the General Executive Council, who shall audit the accounts half yearly and shall sign the balance sheet and report the results of the audit to the General Executive Council

### 19. Membership.

- (a) Any person eligible to become a member of this Union shall pay the sum of two shillings (2/-) entrance fee, except female members to pay half, to be paid on the night of admission. As every person will be supplied on application with a copy of these rules for which a charge of one shilling (1/-) will be made, no excuse of ignorance will be accepted for any violation of same.
- (b) Persons of European descent are eligible for membership in this Organisation, but under no circumstances will such European members hold any office in this Organisation.

### 20. Honorary Members.

- (a) Persons wishing to become Honorary Members of this Union must be proposed, seconded and carried by a majority of the members of the Branch Meeting in which they are proposed.

- (b) Honorary Members will be admitted to all meetings of the Branch, and may, by permission of the Chairman, speak upon any question, but they will not be allowed to vote
- (c) Honorary Members shall pay a contribution of not less than five shillings per annum.

#### **21. Payments of Dues, Fines or Levies.**

- (a) The General Executive Council shall have full power from time to time for any of the objects of the Organisation, or for carrying on the business of the Union to strike a levy on all members, and shall fix the amount of such levy and the time or times when the same shall be paid.
- (b) Each Branch shall make rules providing for the payment of the entrance fees to the Organisation, and the payments of dues, or contributions, and also for the payment of Branch levies and fines
- (c) Each Branch will, when directed by the General Executive Council, collect all levies imposed by it, and shall remit same to Headquarters.
- (d) Each Branch shall retain out of the moneys received from members such an amount as may be necessary to defray expenses of local management and for other purposes as not inconsistent with these rules. Provided that each Branch shall remit to the General Secretary of the Organisation at such times as the General Executive Council may decide, such proportion of the moneys so received as may be necessary for the general purposes of the Organisation calculated, as far as Subscriptions received by the Branches are concerned, upon a per capita basis.

## 22. Arrears.

- a Any member being in arrears to the extent of 10/6 for contributions, fines, levies or dues, shall be unfinancial and shall forfeit all privileges of membership.
- b Any member found guilty by a Branch Committee of leaving this Union through his own neglect, shall pay the sum of 7/6 for re-admission.

## 23. Uniform Badge.

Every member of the I.C.U. shall obtain and hold a uniform Badge or medal, approved by the General Executive Council.

## 24. Industrial Agreements; How Made.

Industrial agreements, and other instruments, may be made on behalf of the Organisation, or any Branch or Branches thereof, after endorsement by a majority vote of the General Executive Council, and after such agreement or other instrument has been approved at a Special Meeting of the Branch or Branches or members affected by a majority of members present voting or by ballot of the members of the Branches or Branch, as the General Executive Council may decide.

## 25. Penalties for Breach of Rules.

- a Any member of the I.C.U. who shall refuse, or persuade others to refuse, to carry out the instructions of his Branch or of the Organisation, or who violates any of the rules of the Union or of any Branch thereof, shall be liable to such fine, or other penalty, as the General Executive Council may decide.

- b Any member divulging any of the proceedings of a meeting to any non-Union man or men, or superior of a shop or gang, so as to bring a member or members under the displeasures of such superior of a shop or gang, or refusing to give the name of a person who has spoken of the transactions so as to bring either member or members of the Union into disrepute shall be fined in any sum the District Committee may think fit to impose so as not to exceed 5s. for the first offence, 10s. for the second offence, and upon repetition of the same such member's case shall be submitted to the General Executive Council, who shall have power to expel him from the Organisation.
- c Any member known to get a non-Union man into work while a member is out of work shall be fined 10s.

#### **26. Rules Relative to Branches.**

- a Branches may make rules, but such rules shall not be inconsistent with the rules of the Organisation, nor have any validity or effect, unless approved by the General Executive Council
- b No existing or future rules of any Branch, or of any combination of members with regard to wages, hours or conditions of labour, shall be valid or binding unless and until approved of by a resolution of the General Executive Council.
- c A copy of the rules of each Branch shall be forwarded to the General Secretary of the Organisation by the local Branch Secretary, at the end of each year, and no rules shall be enforced by any Branch, or any members thereof, unless approved

of by a resolution of the General Executive Council

- d Any Branch, or member thereof, violating these rules shall be dealt with by the General Executive Council under the powers contained in Rule 25.

### **27. Dispute or Lock-Out.**

- a Without the consent of the General Executive Council, no member shall cease work or fail to offer his services for the purpose of aiding members of another Union in a struggle with their employers, or because the goods have been treated or handled by others than members of that Union or (in cases where members of the I.C.U. are not available for employment) because he is required to work with men who are not members of the I.C.U.
- b For the failure to observe this rule the members and Branch shall be liable to a fine not exceeding £2 10s., and for a second offence be liable to expulsion from the I.C.U.
- c Wherever in the rules of the I.C.U. a resolution of consent of the General Executive Council is referred to, it means a resolution entered in writing in the minutes of the proceedings of the General Executive Council
- d That before any Branch decides to cease work such Branch shall notify the Secretary of that District Committee of the grievance, and in the event of such District Committee being unable to effect a settlement, the General Executive Council shall be informed of the trouble and the opinion and co-operation of the other Branches be solicited.

- e That any Branch acting contrary to these rules shall be liable to such fine as may be inflicted by the District Committee, the same to be collected by a direct levy, on a per capita basis, from the members of the defaulting Branch. Further no support, either financially or morally, will be accorded to any branch so offending.

### **28. Quorum.**

The quorum for Ordinary and Special Meetings shall be as provided for in Branch rules.

### **29. No Cessation of Work.**

In all cases work is to continue until the General Executive Council of the I.C.U. otherwise decide.

### **30. Dissolution,**

This Organisation shall not be dissolved while not less than 20 member enrolled in two or more Branches, elect to remain members thereof.

### **31. Standard Wages.**

The General Executive Council shall have power to fix a standard wage wherever possible. It shall be the duty of every member to ascertain this standard, and if found working for a lower wage he shall be fined 10s for the first offence and for the second offence he shall be suspended or expelled at the discretion of the General Executive Council,

### **32. Shop-Stewards.**

The shop or collecting stewards shall be appointed in every Branch, and must be members of the Union not less

than four weeks. Their duty is to look after the interests of the Union in any yard, shop or job, where its members are employed. The shop or collecting Steward shall hand over all moneys collected to the Branch Secretary on the first meeting night of the Branch after receiving same, and return members' contribution cards to them on the first convenient date hereafter. They shall at least once per month examine members' cards and obtain from Branch Secretary the names of all those members that are in arrears. They shall notify any infringement of rules coming under their notice while working. They shall in a legitimate manner see that the workers at any work become members of the Union.

### **33. Benefits.**

The General Executive Council only may draft rules appertaining to all Benefit Funds as contemplated in the Objects of the Organisation.

### **34. Female Workers.**

The rules of this Organisation as applied to masculine gender, it shall also take to apply to the feminine gender.

### **Standing Orders.**

- a For the Management of Meetings :—The first business entertained shall be Reading of Minutes of any Meeting not previously confirmed, and their adoption or otherwise; Correspondence, Notice of Motions, General Business.
- b No motion or amendment shall be entertained or discussed until it has been seconded, and one amendment only shall be discussed at the one time.

- c No member shall be allowed to speak more than twice except strictly in explanation or in contradiction of a mis statement, excepting the mover of the original motion and he shall be allowed 10 minutes to open and five minutes to reply, and no other speaker shall occupy a longer period than five minutes. No further discussion shall take place after the mover has replied.
- d No question touching upon the interpretation of the Rules shall be answered unless the same shall have been sent to the General Secretary fourteen (14) days prior to such Meetings.
- e Any member acting contrary to any of these Standing-Orders shall be called to order, and should he persist he shall be dealt with per paragraph 25

WM. FIFE, President General.

J G GUMBS, Asst. President-General

CLEMENTS KADALIE, Gen. Secretary.

S. M. M. MASABALALA, Organiser in-Chief.

## BIBLIOGRAPHY

This bibliography has been divided into:

### I. MANUSCRIPT SOURCES

#### A. Official

1. Central Archives, Pretoria
2. Cape Archives Depot, Cape Town
3. SAP Museum, Pretoria

#### B. Unofficial

1. Africana Collection, Port Elizabeth Public Library
2. Documentation Centre for African Studies, UNISA
3. Cory Library, Rhodes University
4. University of the Witwatersrand, Church of the Province  
of South Africa Archives Depot
5. Jagger Library, University of Cape Town

### II. PRINTED PRIMARY SOURCES

#### A. Government Publications

1. Cape of Good Hope
2. Inter-Colonial
3. Union
4. Cape Province

#### B. Semi-Official Government Publications

#### C. Town/City Council and other Port Elizabeth Publications

#### D. Newspapers and Periodicals

### III. SECONDARY SOURCES

#### A. Published Works

1. Books
2. Articles

#### B. Unpublished Works

1. Papers
2. Theses

### IV. INTERVIEWS

## I. MANUSCRIPT SOURCES

### A. Official

#### 1. Union of South Africa, Central Archives

- (i) Secretary for Labour
  - ARB 713, L.C. 1054/25, Correspondence relating to the ICU, 1921-1930
- (ii) Governor-General
  - G.G. 1776 19/502, Report to Secretary of State, Native Disturbances at Port Elizabeth, 23rd October 1920
- (iii) Secretary for Justice
  - JUS 267 3/1064/18, Reports on Bolshevism in South Africa, Part 1: 1918-1921
  - JUS 269 3/1064/18, Reports on Bolshevism in South Africa, Part 2: 1921-1923
  - JUS 275 2/950/19, Native Unrest: Port Elizabeth, Cape Province, 1920
  - JUS 276 2/950/19, Inquest re shooting of people during Native Riots: Port Elizabeth, 1920
  - JUS 285 1/543/20, Annual Report 1920: Cape Province, M-Q
  - JUS 288 2/1010/20, Establishment of Native Area, Port Elizabeth
  - JUS 289 3/127/20, Industrial Unrest Natives 1920: Report on Activities of [Transvaal Native] Congress
  - JUS 289 3/1064/18, Reports on Bolshevism in South Africa, Parts 3 & 4: 1923-1928
  - JUS 480 1/42/19, Strikes 1919: Opinions re Powers of Ministers Delegated to Magistrates to Prohibit Meetings
  - JUS 917 1/18/26, Formation of ICU movement - constitution & rules of ICU
- (iv) Mines and Industries
  - MNW 492 2516/19, Industrial and Commercial Workers' of South Africa
  - MNW 546 3315/20, Municipal Employees, Port Elizabeth, Cape Province - Unrest
- (v) Prime Minister
  - P.M. 1/1/417 277/1920, Native Strike at Port Elizabeth, October 1920
- (vi) Native Affairs
  - NTS 157 97/1919/f348, New Brighton Location: Establishment of 1903-19
  - NTS 214 527/17/f764, Unrest - General
  - NTS 215 768/18/f473, High Cost of Living and Native Wages
  - NTS 7602 20/328, Clements Kadalie
  - NTS 7657 3/332, Port Elizabeth Native Disturbances, 1921-22

- (vii) Commissioner of South African Police
  - SAP 38 6/610/18/2, Alleged Industrial Unrest
  - SAP 39 6/658/18/1-3, Reports Regarding Meetings of Native National Congress
  - SAP 40 6/698/19, Industrial Commercial Union, Harbour Branch, Cape Town

2. Cape Archives Depot, Cape Town

- (i) Colonial Office
  - CO 8765, Local Government and Health Branch: Correspondence File 78c
- (ii) Native Affairs
  - NA 533 617, Papers Relating to Native Reserve Location Bill
  - NA 597 1524, Papers Relating to Administration of Natives Location, Port Elizabeth
  - NA 598 1525, Papers Relating to Natives Living Outside Locations in Urban Areas, 1901-6
  - NA 607 1673, Alleged harsh administration of the Native Reserve Location Act in Port Elizabeth
  - NA 607 1675, Removal of Natives to New Brighton Location, 1902-3
  - NA 607 1677, Papers Relating to Locations, Port Elizabeth, 1903-5
  - NA 607 1678, Papers Relating to Locations, Port Elizabeth, 1903-5
  - NA 607 1679, Periodical Reports of Progress, Native Location, Port Elizabeth, 1903
  - NA 608 1680, Location Matters, Port Elizabeth, 1903-4
  - NA 611 1763, Native Reserve Locations, Maitland and Port Elizabeth, 1903-6
  - NA 611 1780, Grant of sites to Natives for erection of their own dwellings, New Brighton Location, 1903-4
  - NA 634 2184, Outbreak of Small Pox, New Brighton Location, 1903
  - NA 656 2378, Weekly Reports, New Brighton and Ndabeni Locations, 1904-7
  - NA 734 f348 Papers Relating to the Administration of New Brighton Location, 1907-11
  - NA 735 f839, Papers Relating to Government Farms, "Cradock Place" and "Deal Party", Port Elizabeth, 1901-12
- (iii) Port Elizabeth Magistrate
  - 1/PEZ 1/1/2/35, Preparatory Examinations: Records of Proceedings, 1918-1930
- (iv) Port Elizabeth Municipality
  - 3/PEZ 1/1/1/1-32, Council Minutes: 1847-1921
  - 3/PEZ 1/2/1/1-26, Standing and Special Committees Minutes: 1861-1921
  - 3/PEZ 3/1/1/1/133-9, Letters Despatched, Town Clerk: 1919 Dec. - 1920 Dec.
  - 3/PEZ 6/1/1/1, Valuation of Huts, Strangers Location, 1896

## B. Unofficial

1. Africana Collection, Port Elizabeth Public Library  
Classified collection of historical maps and photographs  
Port Elizabeth Municipality Land Books: Copies of Grants  
and Transfers of Land, 3 volumes.
2. Documentation Centre for African Studies, UNISA  
Microfilm Nos. 5849-5853, Abdurahman Family Papers
3. Cory Library, Rhodes University  
MS 14 787(c), A W Roberts' Papers  
MIC/F 25(V), Rev W B Rubusana Papers  
MIC/F 8, Sir E H Walton Papers
4. Church of the Province of South Africa Archives Depot,  
University of the Witwatersrand  
A 410, Ballinger Papers  
A 1454, Karis-Carter Collection (Microfilm)  
AD 1178, Saffery Papers  
AD 1433, Records of the Joint Council of Europeans  
and Africans, 1924-1954  
AH 646, Records of the Trade Union Council of South Africa
5. Jagger Library, University of Cape Town  
BCS 78, H S Msimang Reminiscences: Transcript of an  
interview

## II. PRINTED PRIMARY SOURCES

### A. Government Publications

1. Cape of Good Hope Government
  - (i) Votes and Proceedings of the House of Assembly

G.42 - '57	Abstract of Population Returns 1855
G.20 - '66	Report of the 1865 Census
G.42 - '76	Report of the 1875 Census
G. 8 - '83	Blue Book on Native Affairs 1883
A.28 - '83	Petition of the Residents of the Native Strangers' Location
G. 3 - '84	Blue Book on Native Affairs 1884
G. 2 - '85	Blue Book on Native Affairs 1885
G. 6 - '92	Report of the 1891 Census
G.20 - '92	Report on Public Health for 1891
G.14 - '93	Report on Public Health for 1892
G. 3 - '94	Report of the Labour Commission
G.19 - '94	Report on Public Health for 1893
G.55 - '96	Report on Public Health for 1895
G. 5 - '97	Report on Public Health for 1896
G.48 - '98	Report on Public Health for 1897
G.37 - '99	Report on Public Health for 1898

G.56 -	1900	Report on Public Health for 1899
G. 4 -	'02	Report on Public Health for 1900
G.66 -	'02	Report on Public Health for 1901
G.66 -	'03	Report on Public Health for 1902
G.11 -	'04	Blue Book on Native Affairs 1903
G.35 -	'04	Report on Public Health for 1903
G.35*-	'04	Report on Public Health for the half-year ended 30 June, 1904
G.12 -	'05	Blue Book on Native Affairs 1904
G.19 -	'05	Report of the 1904 Census
G.39 -	'06	Report on Public Health for 1905
G.46 -	'06	Blue Book on Native Affairs 1905
G.36 -	'07	Blue Book on Native Affairs 1906
G.24 -	'08	Blue Book on Native Affairs 1907
G.33 -	'08	Report on Public Health for 1907
G.19 -	'09	Blue Book on Native Affairs 1908
G.43 -	'09	Report on Public Health for 1908
G.28 -	'10	Blue Book on Native Affairs 1909

(ii) Select Committee Reports

A. 4 -	'72	Report on the Missionary Institutions Bill
A.10 -	'83	Report on the Port Elizabeth Native Strangers' Location Bill
A. 2 -	'86	Report on the Port Elizabeth Missionary Lands Bill
A. 9 -	'97	Report on the Port Elizabeth Municipal Act Amendment Bill
A.22 -	'02	Report on the Native Reserve Locations Bill
A.15 -	'03	Report on the Native Reserve Locations Act

2. Inter-Colonial

South African Native Affairs Commission, 1905

3. Union Government

- (i) Annexures to Votes and Proceedings of the House of Assembly
- |           |      |   |
|-----------|------|---|
| Ans.143 - | 1921 | Report of the Commissioners appointed to enquire into the causes of and occurrences at, the Native disturbances at Port Elizabeth on 23rd October, 1920, and the general economic conditions as they effect the Coloured and Native population. |
| An. 582 - | 1921 | Reports containing the views of Police Officers in connection with the Report of the Commissioners  |
| An. 656 - | 1921 | Letter addressed to the Acting Prime Minister by the Members of the Commission appointed to enquire into the Native Riots at Port Elizabeth on the 23rd October, 1920.  |

- (iii) Select Committee Reports
- S.C. 10 - '14 Report on the Industrial Disputes and Trade Unions Bill
- S.C. 6A - '17 Second Report of the Select Committee of Native Affairs
- S.C.10A - '20 Second Report of the Select Committee of Native Affairs
- S.C.12A - '21 Second Report of the Select Committee of Native Affairs
- S.C. 3 - '23 Report of the Select Committee of Native Affairs

- (iv) Union Government Reports
- U. 17 - '11 Blue Book on Native Affairs (Cape Colony)
- U.G. 32 - '12 Report of the 1911 Census
- U.G. 10 - '13 Report of the Native Affairs Department for 1911
- U.G. 33 - '13 Report of the Native Affairs Department for 1912
- U.G. 12 - '14 Report of the Economic Commission
- U.G. 34 - '14 Report of the Tuberculosis Commission
- U.G. 1 - '19 Report of the Cost of Living Commission
- U.G. 7 - '19 Report of the Native Affairs Department for the years 1913 to 1918
- U.G. 15 - '19 Report of the Influenza Epidemic Commission
- U.G. 4 - '20 Report of the Housing Committee
- U.G. 42 - '20 Report of the Factories and Labour Divisions, Mines and Industries, 1919
- U.G. 8 - '22 Report of the Commissioner of Police
- U.G. 15 - '22 Report of the Native Affairs Commission for 1921
- U.G. 17 - '22 Report of the Unemployment Commission
- U.G. 34 - '22 Report of the Native Affairs Department for the years 1919 to 1921
- U.G. 41 - '22 Report of the Inter-Departmental Committee on the Native Pass Laws
- U.G. 42 - '22 Report of Native Location Surveys
- U.G. 37 - '24 Report of the 1921 Census
- U.G. 47 - '25 Report of the Cost of Living Committee
- U.G. 13 - '26 Report of the Commission on the Trade Prospects of the Port Elizabeth Harbour
- U.G. 14 - '26 Report of the Economic and Wage Commission
- U.G. 22 - '34 Report of the Native Economic Commission
- U.G. 28 - '48 Report of the Native Laws Commission

- (v) Office of Census and Statistics
- Social Statistics, No. 2 - 1920
- " " No. 3 - 1921
- " " No. 4 - 1922
- Special Report Series, No. 29: Report on Industries in Port Elizabeth, 1915-16 to 1922-23

- (vi) Board of Trade and Industries Reports
- No. 125 Cost of Living Inquiry, 1931
- No. 282 Investigation into Manufacturing Industries, 1946

4. Cape Province

Port Elizabeth Voters' List for the House of Assembly  
1913

B. Semi-Official Government Publications

House of Assembly Debates (Cape Times), 1920-1

C. Town/City Council and other Port Elizabeth Publications

1. Port Elizabeth Municipal Regulations  
1906, 1915
2. Port Elizabeth Mayor's Minutes  
1904 - 1913, 1915-17, 1919, 1920, 1921.
3. Port Elizabeth Municipal Commissions  
Report on the Boundary Extension and Re-distribution of  
Wards Commission, 1927.
4. Annual Reports of the Port Elizabeth Chamber of Commerce  
Bound volumes: 1875 - 1909  
Single volumes: 1910 - 1931
5. Port Elizabeth Yearbooks and Directories  
1879, 1903, 1907, 1910

D. Newspapers and Periodicals

1. Those searched systematically:  
The Black Man (August - December 1920)  
Eastern Province Herald (1918-1921)  
Imvo Zabantsundu (1920-1)  
Industrial South Africa (August 1918-1921)  
Port Elizabeth Advertiser (1919-1921)
2. Those consulted as indicated in text:  
Abantu Batho  
A.P.O.  
The Cape Daily Telegraph (later the PE Weekly Telegraph)  
The Cape Times  
Contact  
Drum  
The Eastern Advocate  
The Friend  
Ilanga lase Natal  
Illustrated Bulletin  
Imvo Zabantsundu  
The Rand Daily Mail  
South African Outlook  
The Star  
Umteteli wa Bantu  
The Workers' Herald

### III. SECONDARY SOURCES

#### A. Published Works

##### 1. Books

- Bozzoli, B. (ed), Labour, Townships and Protest: Studies in the Social History of the Witwatersrand (Johannesburg, 1979)
- Bozzoli, B., The Political Nature of a Ruling Class (London, 1981)
- Bozzoli, B. (ed), Town and Countryside in the Transvaal (Johannesburg, 1983)
- Beinart, W. and Bundy, C., Hidden Struggles in Rural South Africa (Johannesburg, 1987)
- Bundy, C., The Rise and the Fall of the South African Peasantry (London, 1979)
- Butler, J., Elphick, R. and Welsh, D.(eds), Democratic Liberalism in South Africa: Its History and Prospect (Cape Town, 1987)
- Cell, J.W., The Highest Stage of White Supremacy (Cambridge, 1982)
- Coleman, F. (ed), An Economic History of South Africa (Pretoria, 1986)
- Davenport, T.R.H., South Africa: A Modern History (3rd ed., Johannesburg, 1987)
- Davies, W.J., Patterns of Non-White Population Distribution in Port Elizabeth with special reference to the application of the Group Areas Act (Port Elizabeth, 1971)
- Dubow, S., Land, Labour and Merchant Capital: Graaff Reinet District in the pre-industrial rural economy of the Cape 1852-72 (Cape Town, 1982)
- Feit, E., Workers Without Weapons (Hamden, 1965)
- Friedman, S., Building Tomorrow Today: African Workers in Trade Unions 1970-1984 (Johannesburg, 1987)
- Grundlingh, A., Fighting Their Own War: South African Blacks and the First World War (Johannesburg, 1987)
- Hancock, W.K., Smuts Vol. II: The Fields of Force, 1919-1950 (Cambridge, 1966)
- Henry, J.A., The First Hundred Years of the Standard Bank (Oxford, 1963)
- Hindson, D., Pass Controls and the Urban African Proletariat (Johannesburg, 1987)
- Innes, D., Anglo American and the Rise of Modern South Africa (Johannesburg, 1984)
- Jabavu, D.D.T., Papers and Addresses on Various Native Problems (Lovedale, 1920)
- Jabavu, D.D.T., The Black Problem (New York, repr. 1969)
- Kadalié, C., My Life and the ICU (London, 1970) edited by S. Trapido
- Karis, T. and Carter, G. (eds), From Protest to Challenge: A Documentary History of African Politics in South Africa, Volumes 1 and 4 (Stanford, 1972-1977)
- Kruger, D.W., The Making of a Nation (Johannesburg, 1975)
- Lacey, M., Working for Boroko: The Origins of the Coercive Labour System in South Africa (Johannesburg, 1981)
- Leigh, R.L. (ed.), The City of Port Elizabeth (Johannesburg, 1966)

- Lewis, G., Between the wire and the wall: A History of South African 'Coloured' Politics (Cape Town, 1987)
- Lewis, J., Industrialisation and Trade Union Organisation in South Africa, 1924-1955 (London, 1984)
- Lipton, M., Apartheid and Capitalism (Cape Town, 1986)
- Lodge, T., Black Politics in South Africa since 1945 (Johannesburg, 1983)
- Lodge, T. (ed.), Resistance and Ideology in Settler Societies (Johannesburg, 1986)
- Lorimer, E.K., Panorama of Port Elizabeth (Cape Town, 1971)
- Mahabane, Z.R., The Good Fight: Selected Speeches (Evanston, n.d.)
- Marks, S. and Rathbone, R., (eds), Industrialisation and Social Change in South Africa: African class formation, culture and consciousness 1870-1930 (London, 1982)
- Marks, S., and Trapido, S. (eds), The Politics of Class, Race & Nationalism in Twentieth Century South Africa (London, 1987)
- Maylam, P., A History of the African People of South Africa: from the Early Iron Age to the 1970s (Cape Town, 1986)
- Morris, P., A History of Black Housing in South Africa (Johannesburg, 1981)
- Ncube, D., The Influence of Apartheid and Capitalism on the Development of Black Trade Unions in South Africa (Johannesburg, 1985)
- Odendaal, A., Vukani Bantu! The Beginning of Black Protest Politics in South Africa to 1912 (Cape Town, 1984)
- Phillips, B.D. and de Coning, C., Secondary Industry in the Port Elizabeth/Uitenhage Region - a structural analysis (Port Elizabeth, 1969)
- Playne, S. (ed.), Cape Colony: Its History, Commerce, Industries and Resources (London, 1911)
- Redgrave, J.J., Port Elizabeth in Bygone Days (Wynberg, 1947)
- Rich, P., White Power and the Liberal Conscience: Racial Segregation and South African Liberalism 1921-1960 (Johannesburg, 1984)
- Roux, E., Time Longer than Rope: the Black Man's Struggle for Freedom in South Africa (Madison, 1978)
- Sankey, B. and White, T.C.(eds), The Industrial Facilities and Advantages of Port Elizabeth (Port Elizabeth, 1917)
- Simons, H.J. and Simons, R.E., Class and Colour in South Africa 1850-1950 (London, 1983)
- Skota, T.D. Mveli, The African Yearly Register, being an illustrated national biographical dictionary of black folks in Africa (Johannesburg, 1932)
- Stadler, A., The Political Economy of Modern South Africa (Cape Town, 1987)
- van der Horst, S., Native Labour in South Africa (Cape Town, 1942)
- Walker, E., A History of Southern Africa (London, 1964)
- Walshe, P., The Rise of African Nationalism in South Africa: The African National Congress, 1912-1952 (London, 1970)
- Warwick, P., Black People and the South African War 1899-1902 (Johannesburg, 1983)
- Webster, E. (ed.), Essays in Southern African Labour History (Johannesburg, 1986)
- Wickins, P.L., The Industrial and Commercial Workers' Union of Africa (Cape Town, 1978)
- Wilson, M. and Thompson, L.(eds), The Oxford History of South Africa , Volumes 1 and 2 (London, 1969 and 1975)

Yudelman, D., The Emergence of Modern South Africa: State, Capital, and the Incorporation of Organized Labour on the South African Gold Fields, 1902-1939 (Cape Town, 1984)

## 2. Articles

- Appel, A., 'Port Elizabeth, c. 1855-1875: Enkele Sosio-Ekonomiese Aspekte', South African Historical Journal, No. 16, 1984, pp. 101-117.
- Arkin, M., 'Strikes, Boycotts - and the History of their Impact on South Africa', South African Journal of Economics, Vol. 28, No. 4, 1960, pp. 303-318.
- Beavon, K., 'Factors Affecting the Growth and Form of Port Elizabeth, 1820-1963: A Study in Historical Urban Geography', in Watts, H.L. (ed.), Focus on Cities (Durban, 1970), pp. 160-169.
- Beinart, W. and Bundy, C., 'The Union, the Nation, and the Talking Crow: The Ideology and Tactics of the Independent ICU in East London', Hidden Struggles in Rural South Africa, pp. 270-320.
- Bloch, R., 'The high cost of living: the Port Elizabeth "Disturbances" of October 1920', Africa Perspective, No. 19, 1981, pp. 39-59.
- Bloch, R. and Wilkinson, P., 'Urban Control and Popular Struggle: A Survey of State Urban Policy 1920-1970', Africa Perspective, No. 20, 1982, pp. 2-40.
- Bonner, P., 'The Decline and Fall of the ICU - A Case of Self-Destruction?' in Webster, E. (ed), Essays in Southern African Labour History, pp. 114-120.
- Bouch, R., 'Farming and politics in the Karroo and Eastern Cape, 1910-1924', South African Historical Journal, No. 17, 1985, pp. 48-64.
- Bozzoli, B. 'The Origins, Development and Ideology of Local Manufacturing in South Africa', Journal of Southern African Studies, Vol. 1, No. 2, 1975, pp. 194-214.
- Bradford, H., 'Mass Movements and the Petty Bourgeoisie: The Social Origins of the ICU Leadership, 1924-1929', Journal of African History, Vol. 25, 1984, pp. 295-310.
- Bundy, C., 'The Abolition of the Masters and Servants Act', in Hare, A.P., et al, South African Sociological Analysis, (Cape Town, 1979), pp. 373-379.
- Carruthers, E.J., 'Some problems in the writing of contemporary urban history', Kleio, Vol. 14, 1982, pp. 79-87.
- Christie, R., "'Slim Jannie" and the Forces of Production: South African Industrialisation 1915-1925', London University, Institute of Commonwealth Studies, Collected Seminar Papers, Vol. 8, No. 22, 1976-77, pp. 94-113.
- Christopher, A.J., 'Race and Residence in Colonial Port Elizabeth', South African Geographical Journal, Vol. 69, No. 1, 1987, pp. 3-20.
- Crais, C., 'Gentry and Labour in the Eastern Cape, 1820-1865', South African Historical Journal, No. 18, 1986, pp. 125-146.
- Davenport, T.R.H., 'African Townsmen? South African Natives Urban Areas Legislation through the Years', African Affairs, Vol. 68, No. 271, 1969, pp. 95-109.
- Davenport, T.R.H., 'The Triumph of Colonel Stallard: The Transformation of the Natives (Urban Areas) Act between 1923 and 1937', South African Historical Journal, No. 2, 1970, pp. 77-96.

- Davis, R. Hunt, 'School vs. Blanket and Settler: Elijah Makiwane and the Leadership of the Cape School Community', African Affairs, Vol. 78, No. 310, 1979, pp. 12-31.
- Edgar, R.R., 'Garveyism in Africa: Dr Wellington and the "American Movement" in the Transkei, 1925-1940', Ufahuma, Vol. 6, No. 1, pp. 31-57.
- Hirson, B., 'The Bloemfontein Riots, 1925: A Study in Community Culture and Class Consciousness', London University, Institute of Commonwealth Studies, Collected Seminar Papers, Vol. 13, No. 13, 1983, pp. 82-96.
- Hirson, B., 'Marxists, Neo-Marxists and Labour History in South Africa', Journal of Commonwealth and Comparative Politics, Vol. 21, No. 1, 1983, pp. 80-85.
- Inggs, E.J., 'Mfengu Beach Labour and Port Elizabeth Harbour Development, 1835-1870', Contree, No. 21, 1987, pp. 5-12.
- Inggs, E.J., 'Liverpool of the Cape: Port Elizabeth Trade 1820-70', South African Journal of Economic History, Vol. 1, No. 1, 1986, pp. 83-98.
- Johns, S.W., 'The Birth of Non-White Trade Unionism in South Africa', Journal of Social Issues, Vol. 23, No. 3, 1967, pp. 173-192.
- Johns, S.W., 'Trade Union, Political Pressure Group, or Mass Movement? The Industrial and Commercial Workers' Union of Africa' in Rotberg, R.I. and Mazrui, A.A., (eds), Protest and Power in Black Africa (New York, 1970), pp. 695-754.
- Kallaway, P., 'F.S. Malan, the Cape Liberal Tradition and South African Politics 1908-1924', Journal of African History, Vol. 15, No. 1, pp. 113-129.
- Lewis, J., 'Trade Unions and Changes in the Labour Process in South Africa 1925-30', London University, Institute of Commonwealth Studies, Collected Seminar Papers, Vol. 9, No. 24, 1978, pp. 97-106.
- Lewsen, P., 'The Cape Liberal Tradition - Myth or Reality?', Race, XIII, 1971, pp. 65-80.
- Mabin, A., 'Concentration and Dispersion in the Banking System of the Cape Colony, 1837-1900', South African Geographical Journal, Vol. 67, No. 2, 1985, pp. 141-159.
- Mabin, A., 'The Rise and Decline of Port Elizabeth, 1850-1900', International Journal of African Historical Studies, Vol. 19, No. 2, 1986, pp. 275-303.
- Rex, J., 'The Compound, the Reserve and the Urban Location: the Essential Institutions of Southern African Labour Exploitation', South African Labour Bulletin, Vol. 1, No. 4, pp. 4-17.
- Rich, P., 'Ministering to the White Man's Needs: The Development of Urban Segregation in South Africa, 1913-1923', African Studies, Vol. 37, No. 2, 1978, pp. 177-191.
- Rich, P., 'Segregation and the Cape Liberal Tradition', London University, Institute of Commonwealth Studies, Collected Seminar Papers, Vol. 10, 1980, pp. 31-42.
- Saunders, C., 'The New African Elite in the Eastern Cape and Some Late Nineteenth Century Origins of African Nationalism', London University, Institute of Commonwealth Studies, Collected Seminar Papers, Vol. 1, No. 10, 1970, pp. 44-55.
- Saunders, C., 'Segregation in Cape Town: the Creation of Ndabeni', Centre for African Studies, University of Cape Town, Collected Papers, Vol. 1, 1978, pp. 43-63.
- Simons, H.J., 'Trade Unions' in Hellmann, E. (ed.), Handbook on Race Relations in South Africa (Oxford, 1949), pp. 158-170.

- Swanson, M.W., 'Urban Origins of Separate Development', Race, Vol. 10, 1968, pp. 31-40.
- Swanson, M.W., 'The Sanitation Syndrome: Bubonic Plague and Urban Native Policy in the Cape Colony 1900-1909', Journal of African History, Vol. 18, No. 3, 1977, pp. 387-410.
- Torr, L., 'Providing for the "Better-Class Native": the Creation of Lamontville, 1923-1933', South African Geographical Journal, Vol. 69, No. 1, 1987, pp. 31-46.
- Trapido, S., 'Liberalism in the Cape in the 19th and 20th Centuries', London University, Institute of Commonwealth Studies, Collected Seminar Papers, Vol. 4, No. 17, 1973, pp. 53-66.
- van Onselen, C., 'Worker Consciousness in Black Miners, Southern Rhodesia, 1900-1920', Journal of African History, Vol. 14, No. 2, 1973, pp. 237-255.
- Wickins, P.L., 'General Labour Unions in Cape Town, 1918-1920', South African Journal of Economics, Vol. 40, No. 3, 1972, pp. 275-301.
- Wickins, P.L., 'The Organisation and Composition of the ICU', South African Labour Bulletin, Vol. 1, No. 6, 1974, pp. 27-34.
- Williams, D., 'African Nationalism in South Africa: Origins and Problems', Journal of African History, Vol. 11, No. 3, 1970, pp. 371-383.

## B. Unpublished Works

### 1. Papers

- Baines, G., 'The Colonial Origins of Segregation: the Case of Port Elizabeth's Native Strangers' Location', Paper presented to the South African Historical Society Conference, University of Stellenbosch, January 1987.
- Davenport, T.R.H., 'The Beginnings of Urban Segregation in South Africa, the Natives (Urban Areas) Act and its Background', Institute of Social and Economic Research, Rhodes University, Occasional Paper No. 15, 1971.
- Goldberg, M., 'Worker Consciousness: A Formulation and a Critique', Paper presented to the History Workshop, University of the Witwatersrand, 1981.
- Kirk, J.F., 'The African petty bourgeoisie, Cape liberalism and resistance to segregated housing in Port Elizabeth in the 1880s', African Studies Association Conference, 1984.
- Legassick, M., 'The Making of South African Native Policy 1903-1923: The Origins of Segregation', Postgraduate Seminar Paper, Institute of Commonwealth Studies, London University, February 1973.
- Mabin, A., 'Strikes in the Cape Colony, 1854-1897', Paper presented to the African Studies Institute, University of the Witwatersrand, May 1983.
- Mabin, 'The Course of Economic Development in the Cape Colony, 1854-1899: A Case of Truncated Transition', Paper presented to the Economic History Conference, Durban, July 1984.
- Maylam, P., 'Aspects of African Urbanization in the Durban Area before 1940', Paper presented to Department of Historical and Political Studies, University of Natal, Pietermaritzburg, 1981.

- Maylam, P., 'Strategies of Control and Evasion: African Urban History in South Africa c. 1900-1950', Paper presented to the South African Historical Society Conference, University of Durban-Westville, July 1981.
- Maylam, P., 'Shackled by contradictions: The municipal response to African urbanization in Durban c. 1920-1950', Paper presented to African Urban Life Workshop, University of Natal, Durban, October 1983.
- Phillips, H., 'The impact of the Spanish 'flu epidemic of 1918 on Cape Town', Paper presented to the South African Historical Society Conference, Cape Town, January 1985.
- Southey, N.D., 'Segregation, control and African resistance in Grahamstown and its Locations, 1881-1918', History Department Seminar Paper, University of South Africa, 1986.
- Starfield, J., "'Not Quite History": the Autobiographical Writings of R.V. Selope Thema and H. Selby Msimang', Paper presented to the History Workshop, University of the Witwatersrand, February 1987.
- van Duin, P., 'Skilled Labour, Trade Unionism and Racial Attitudes in Cape Town, 1900-1914', Paper presented to the Cape Town History Workshop, University of Cape Town, December 1985.
- van Duin, P., 'Trade Unionism and the Relationship between White and 'Coloured' Artisans in the Cape Town Building Industry, 1900-1910', Paper presented to the Conference on the Western Cape, July 1986.

## 2. Theses

- Bouch, R.J., 'The South African Party and the National Party in the Eastern Cape, 1919-1924', MA, University of the Witwatersrand, 1979.
- Bradford, H., 'The Industrial and Commercial Workers' Union of Africa in the South African Countryside, 1924-1930', PhD, University of the Witwatersrand, 1985.
- Edgar, R.R., 'The Fifth Seal: Enoch Mgijima, the Israelites and the Bulhoek Massacre, 1921', PhD, University of California, Los Angeles, 1977.
- Inggs, E.J., 'Liverpool of the Cape: Port Elizabeth Harbour Development 1820-1870', MA, Rhodes University, 1986.
- Joubert, A., 'Port Elizabeth Tydens die Anglo-Boereoorlog, 1899-1902', MA, University of Port Elizabeth, 1985.
- Kagan, N., 'African Settlements in the Johannesburg Area, 1903-1923', MA, University of the Witwatersrand, 1978.
- La Hausse, P., 'The Struggle for the City: Alcohol, the Ematsheni and Popular Culture in Durban, 1902-1936', MA, University of Cape Town, 1984.
- Lewis, G., 'The Bondelswarts Rebellion of 1922', MA, Rhodes University, 1977.
- Mabin, A., 'The making of colonial capitalism: Intensification and Expansion in the Economic Geography of the Cape Colony, 1854-1899', PhD, Simon Fraser University, 1984.
- Moyer, R.A., 'A History of the Mfengu of the Eastern Cape', PhD, London University, 1976.