

## Protest by Potchefstroom native location's residents against dominance, 1904 to 1950

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### Introduction

This paper sketches the response of black residents of Potchefstroom location<sup>1</sup> to the oppressive efforts of consecutive white local authorities by discussing the actions of Lazarus Muthle (from 1905 to 1908) and James Mdatyulwa (from 1941 to 1946). The local protests and requests by several organisations, among them local native advisory authorities, and the articulation of these protests with national protest organisations, are analysed. The residents of Potchefstroom location were well aware of and often became involved in regional and national protest organisations, and even made significant contributions in this regard. Municipal documents and newspapers have been used to gain an understanding of how, over many years, the residents of this township, colloquially known as Makweteng (place of the sods, or place of mud-houses) protested against oppressive laws, regulations and dehumanising treatment. With the exception of the resistance orchestrated by Josie Palmer (also Mpama),<sup>2</sup> no dramatic insurrection took place in the location in this period, but the significance of organisational protest is clearly borne out by the available sources.

A major element of the oppression of black people in South Africa (after the South African War ended in 1902) developed in local (municipal) areas. Although most racially based laws had their origin in the centralised authorities of the four colonies, and later the Union and the Republic of South Africa, the authorities of the towns and cities in South Africa willingly cooperated in enforcing these measures. This was because most white South Africans believed that the “order” created among black residents in these labour reservoirs in the vicinity of white-dominated towns was functional for the prosperity and comfort of the whites living in the cities and towns.<sup>3</sup>

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1. The residential area was also alternately called the native or *kafir* location, and “officially”, from 1950, Willem Klopperville, named after a location superintendent.
2. In the period from 1926 to 1930, Palmer led successful action against lodger's permits. She possessed exceptional leadership and organisational skills that enabled her to mobilise the women of the township very effectively. Later these same skills allowed her a good hearing in Moscow when the Communist Party of South Africa experienced significant problems on a national level. See J.C. Wells, *We Now Demand: the History of Women's Resistance to Pass Laws in South Africa* (Witwatersrand University Press, Johannesburg, 1993), pp 282, 284; also J.C. Wells, “The Day the Town Stood Still: Women in Resistance in Potchefstroom”, in B. Bozzoli (ed.), *Town and Countryside in the Transvaal: Capitalist Penetration and Popular Response* (Ravan Press, Johannesburg, 1983), pp 282, 284; M. Roth, “Josie Mpama: the Contribution of a Largely Forgotten Figure in the South African Liberation Struggle”, *African Historical Review*, 28, 1, 1996, pp 120–136; and C. van Wyk, *Thabo Mafutsanyana* (Awareness Publishing, Gallo Manor, 2010), p 39.
3. During the early 1950s, the Native Affairs Department (NAD) was dependent on the municipal administrators to implement departmental policy originally recommended by these administrators. But they were responsible to the local ratepayers and were also employees of the elected town and city councils and therefore often favoured a more flexible application of the department's policies than envisaged by the departmental architects of such policies. See D. Posel, *The Making of Apartheid 1948–1961: Conflict and Compromise* (Oxford University Press, New York, 1997), p 263. As will be seen, this was definitely not the case in Potchefstroom.

Potchefstroom has an exceptional history because of its very early (1838) establishment as a northern town and later as the first capital of the South African (Transvaal) Republic. Thus the basis was laid for inequality and segregation in this settler town.<sup>4</sup> The administration of all members of the “coloured”<sup>5</sup> servant class was the responsibility of the central government until 1869. From 1869 to 1889 the responsibility was that of the *stadsraad* (town council) in the South African Republic and again, from 1889 to 1899, the central government of the South African Republic.<sup>6</sup> In 1902, after the South African War, the Transvaal became a crown colony of the British Empire. Several crucial issues had to be settled before unification of the four colonies could take place and Britain yielded to the Boers (Afrikaners) on the exclusion of progressive decisions regarding the franchise for blacks.<sup>7</sup> Against this background, few changes were brought about in the existing “native policy and administration”.<sup>8</sup> The British administrators assumed authority over a “location” in Potchefstroom that had already been decided upon in 1877 (for a different area) and was “re-established” in 1888, although it probably only became functional from May 1889.<sup>9</sup>

After 1902 the local authority of Potchefstroom had problems with jurisdiction in the location. There was resistance to the new, stricter and uniform regulations for the Transvaal Colony, altering the agreement the residents had purportedly entered into with the old *Stadsraad*. In 1905, in support of the residents, the Supreme Court decided in favour of Malope and others<sup>10</sup> on the grounds that the residential area had not been proclaimed as a “location”, but these *ultra vires* actions were rectified by a government notice<sup>11</sup> and the law itself was supplemented in 1907.<sup>12</sup> This made the administration of justice in this township easier and more uniform with other townships in Transvaal at the time, but of course it impinged upon the already restricted rights of the residents.

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4. See J.S. Bergh and F. Morton, “*To Make Them Serve ...*”, *The 1871 Transvaal Commission on African Labour* (Protea Book House, Pretoria, 2003), p 11.
  5. The term “coloureds” (*kleurlingen*) was often used in a more generalised way for the servant class whereas natives (*naturellen*) and kafirs (*kaffers*) more specifically referred to African people.
  6. Although the Potchefstroom township only became functional after 1889, and therefore accommodated the majority of “natives” and “coloureds”, the regulations of different authorities over most of the period covered by this article, allowed “domestic” employees to reside on the premises of their employers in the “white” part of town.
  7. L.M. Thompson, *The Unification of South Africa, 1902–1910* (Oxford University Press, Oxford, 1960), pp 4–12. Previously, on the eve of the South African war the British promised that after the war, “civilisation” not colour, would be the test for civil rights. See H. Giliomee, *The Afrikaners: Biography of a People* (Tafelberg, Cape Town, 2003), p 261.
  8. One example of the continuity of policy and administration is that Law 4 of 1885 of the Transvaal Republic was only rescinded by the Native Administration Law of 1927. See P.J. Rickert, “Bantoe-administrasie in Potchefstroom”, MA thesis, Potchefstroom University for CHE, 1963, pp 12–14.
  9. Rickert, “Bantoe-administrasie in Potchefstroom”, p 14.
  10. *Malope and others v Potchefstroom Municipality* (T.S. 1905, p 96). See also National Archives, Pretoria (hereafter NASA), MPO 2/1/33, File 382. Solomon Mokogetsi, *Solomon Mokogetsi v Rex* (T.P.D. February 1946) also had limited success on the issue of the renewal of a permit, and Tekane, *Harry Tekane v Rex* (Appeal, T.P.D. 1947) for the keeping of cattle.
  11. Ordinance No. 58 of 1903; Government Notice No. 17 of 1905.
  12. NASA, File sna 394 na 93/08, Dr W. Mortimer – L.R. Muthle, 29 April 1908. In the case of *Malope and others v Potchefstroom Municipality*, one of the judges even viewed this as a case in which costs should be given to the municipality because “a civil right was being tried”, for “[t]he natives maintained they had a special right on these lands”. The Feetham Report had already found in 1906 that although members of the *Stadsraad* of 1888 gave verbal assurances of their perpetual right of occupation in the Old Location, these assurances were given without the authority of the *Stadsraad* as a body. See R. Feetham, *Report of Commissioner relating to the Tenure by Natives to their Lots in the Potchefstroom Native Location* (Government Printer, Pretoria, 1906), p 15.

In 1912 the local authority tried to enforce a permit system that would be applicable to all residents over the age of fourteen. The residents resisted this in several ways, with the women of the location playing a significant role. They won a legal battle when the Transvaal provincial secretary had the Native Location Regulations amended to rescind the permit system. A similar dispute arose in 1924 when in the case of Petrus Katie v Potchefstroom Municipality, the High Court ruled that this area was not a location in terms of Law 21 of 1923, but again, it was proclaimed a location in August 1929 and re-proclaimed in February 1942. According to Josie Palmer, the fining of Katie for living there without a permit initiated the well-organised women’s action when they protested against lodger’s permits some years later.<sup>13</sup>

At the beginning of the twentieth century, in most parts of South Africa the official position was that urban Africans were not viewed as permanent residents of urban communities, but as mere visitors. (The conception already prevailed in the Transvaal where the Volksraad had decreed in 1844 that no Africans were permitted to live near whites without official permission.<sup>14</sup>) Individual residents of Potchefstroom’s native location protested at different stages, trying to persuade the authorities that they had a definite right to be fairly treated.<sup>15</sup> Thus, in 1904 Petrus Molotto (sic) – referring to himself as the “headman” of “Pcstroom (sic) location” – wrote about the very high taxes and pleaded:

... I would with all due respect remind your worship that the descendants of the natives who came into this country with the old Voortrekkers (sic) deserve consideration as our fathers have with yours borne their shore [share] in the development of this country. Some of the first natives who come into Pcstroom with the old Voortrekkers are still alive for example. George Temmerman. Klaas Thomm. Petrus Maeppe. Daved Botha or Conon etc [... and] the [fact that the] location is the best location in the country is due in a great measure to our own exertion and industry & we feel it hard that we should not be allowed to eat (sic) some benefit from this.<sup>16</sup>

### Lazarus Ralesibane Muthle: “too interested in other people’s business”<sup>17</sup>

By August 1905, Muthle had already applied for “Letters of Naturalisation as a British Subject” and attached the declarations of two officials to support his application. J.F. van Aardt (assistant municipal pass officer) certified in September 1905 that he had known Muthle for six years and that Muthle had resided permanently in the Transvaal since then. At the time of his application he was a pastor of the Paris Evangelical Mission in Klerksdorp. Van Aardt also found him a “person of good repute and fit to be naturalised as

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13. Wells, *We Now Demand*, p 72; also Wells, “The Day the Town Stood Still”, pp 269–307.
  14. The Report of the Native Affairs Commission for 1921, the Native Urban Areas Act of 1923, and the Report of the Stallard Commission of 1922, remained the foundation of policy towards blacks into the 1960s, when the government maintained that the only justification for the presence of Africans in the cities/towns was to serve their white masters. See D. Welsh, “The Growth of Towns”, in M. Wilson and L.M. Thompson (eds), *The Oxford History of South Africa, Volume 2, 1870–1966* (Oxford University Press, Oxford, 1971), pp 186–191.
  15. After the South African War new political organisations working for the benefit of Africans often accepted the promises implicit in ideals of the British system of government. See S. Johns, “Protest and Hope 1882–1934”, in T. Karis and G.M. Carter (eds), *From Protest to Challenge: A Documentary History of African Politics in South Africa 1882–1964, Volume 1* (Hoover Institution Press, Stanford, 1973), p 9.
  16. NASA, Municipal files of Potchefstroom (hereafter MPO) 2/1/33, File 382, P. Moloto (Molotto), the mayor of Potchefstroom, 4 July 1904.
  17. NASA, MPO 2/1/33, File 554, A.W. Borchers (native’s superintendent) – town clerk, 18 July 1908.

a British subject”.<sup>18</sup> J.H. Corbett (a school inspector) declared that he had known Muthle for one and half years and had “always found him in every respect a worthy man”. He also stated that Muthle had lived in Potchefstroom from 1899 to 1903, but also in Klerksdorp from 1903 to 1905, and had been working as an interpreter in the magistrate’s court in Potchefstroom in 1902. Muthle indicated his place of birth as Morija, Basutoland, and his nationality as “Basuto”.<sup>19</sup> It is not clear under what circumstances Muthle had remained in Potchefstroom, because in September 1906 the assistant colonial secretary indicated that natives could not apply for naturalisation.<sup>20</sup>

Despite his application being turned down, in the first half of 1908 Muthle still intervened on behalf of the residents of the native location. He indicates that he (as “secretary of the location”), Stephen Mpama and George Ntombella (sic), had been elected by the “Natives and Coloured British Subjects” to have an interview with the Minister of Native Affairs (Johann Rissik) to enlighten him regarding certain issues in the location. Muthle and his co-petitioners were elected by the residents of the township to “represent them and to watch [over] their interests”. He included a petition in which the authors claim to represent “poor Natives and Coloured people [who are] loyal to our own Government and King” and who occupied 216 stands in the “old native location” and 39 stands on the “East and West wings”. As a basis for their petition they claimed that in 1888, the members of the *stadsraad* “gave our fathers verbal Assurances to the effect that they were given a perpetual right of occupation of the Stands allotted to them during their lifetime, as long as they paid their Annual rental of 10/- ...”<sup>21</sup> They were entitled to sell their rights to other black people, subject to the permission of the town council and to receive compensation to the value of their houses erected on these stands. These assurances by the *stadsraad* were also extended to their descendants, rights that the municipality of 1908 did not recognise. A solution to their problems would be for the Potchefstroom native location to be “regulated by the late [Transvaal] Government quite independent[ly] from other Native Location[s]”. The petitioners submitted an even more elaborate petition to Dr W. Mortimer (member of the Legislative Assembly, representing Potchefstroom) and the secretary for native affairs. They sent the same plea to Mortimer’s organisation, *Het Volk*. In this letter Muthle paid attention to specific examples of suffering and injustice such as the taxing of women for doing washing, and the stand-permit in force in the location.<sup>22</sup> In a detailed response, Mortimer touched on every point made by Muthle. He clarified some issues and gave

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18. NASA, CS597 3870.
  19. NASA, CS597 3870, Certificate of J.F. van Aardt, 16 September 1905; Declaration by J.H. Corbett, inspector of schools, Klerksdorp Circuit, *Government Gazette*, 18 and 25 August 1905; Application from Muthle for naturalisation as British subject, 26 August 1905).
  20. NASA, CS597 3870, Assistant colonial secretary – Muthle, 23 September 1906; *Western Chronicle & Potchefstroom Budget*, 8 July 1905, p 4. Naturalisation was granted in terms of the Naturalisation of Aliens Ordinance, No. 46 of 1902; and the Naturalisation of Aliens Ordinance Amendment, No. 10 of 1904. No particular evidence is available to explain why the colonial secretary took this decision. Although efforts were made after 1901 for general recognition of the status of British subjects and for imperial naturalisation, racism frequently played a role in the British Empire and thus dominion governments’ immigration laws were often discriminatory towards people of non-European origin. See R. Karatani, *Defining British Citizenship: Empire, Commonwealth and Modern Britain* (Frank Cass, London, 2003), pp 73–77, 99.
  21. NASA, File sna 394 na 93/08, Muthle – minister and the secretary for Native Affairs, 7 January 1908, 13 January 1908, 18 January 1908. In 1904, reference is also made to the 1888 agreement. See NASA, File sna 394 na 1904.
  22. NASA, File sna 394 na 93/08, Petition Muthle – W. Mortimer and *Het Volk*, 18 April 1908; Muthle – secretary of Native Affairs, 18 January 1908.

substantial relief as far as some complaints were concerned, especially regarding the elderly.<sup>23</sup>

In the second half of 1908 things took a bad turn for Muthle in his efforts to become an independent teacher. The ministers of three mission churches in charge of native schools (Wesleyan, Dutch Reformed and English/Anglican Church) wrote a letter of complaint to the mayor and councillors of Potchefstroom, saying Muthle had earlier been dismissed from his position as an assistant teacher in the Dutch Reformed School due to neglect of duty; he had now started a private school in the township “which is not subject to any European supervision, and to which school those parents who object to the discipline of properly supervised schools, send their children”. The lack of discipline in Muthle’s school, compared with “properly supervised” schools, was unacceptable and there was the possibility of “dangerous teaching being indulged in, and the seeds of disaffection being sown in the minds of the scholars”. The complainants also had problems with Muthle as a teacher because of his “loose moral character” and for this reason the ministers requested that his private school be closed and to have him removed from the township.<sup>24</sup> The location superintendent reported that Muthle had indeed seduced “a daughter” and had already fathered a child with another woman. He did not consider Muthle a desirable person to reside in the location and furthermore, he lived there without the requisite permit.<sup>25</sup> The superintendent thought that Muthle was “too interested in other people’s business and was mostly acting as general agent, thereby no doubt accruing a good little income, which encourages him moreso (sic) to meddle with matters not concerning him in the least”. In August 1908 the correspondence between Muthle and the officials indicates his struggle to obtain a permit to live in the township and to refute the allegations made against him,<sup>26</sup> although he continued to run his school for another year.

The *Potchefstroom Herald* wrote an editorial on Muthle’s court case, arguing that it was not only in the interest of the town, but also “... of the natives themselves, that finality should be arrived at” on the important principle of “the Council’s authority over the natives ...”<sup>27</sup> The municipality, however, failed to prove criminal intent on the part of Muthle when he transgressed certain measures that applied to all black people in the town. The *Potchefstroom Herald* reported that the prosecutor did not believe Muthle’s plea of ignorance

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23. NASA, MPO 2/1/33, File 933, Muthle – location superintendent, 10 July 1908. Muthle applied for exemption from payment of municipal taxes and rates on behalf of 68 stand residents, citing reasons of “old age and chronic disease, which prevent them from seeking employment”. There is no indication how this request was handled, although the same file has several letters (until the 1930s) from municipal authorities and missionaries that deal with similar issues.
  24. NASA, MPO 2/1/33, File 554, E. Carter, D.T. Terburgh and I. Durno – mayor and councillors, 25 June 1908. See also *Potchefstroom Herald & Western Gazette*, 11 September 1908, p 5. Muthle’s authority to issue “school passes” was also questioned. See NASA, MPO 2/1/33, File 554, secretary school board – town clerk, 12 February 1909 and 6 May 1909; town clerk – secretary school board, 6 February 1909 and 4 May 1909; town clerk – secretary education department, 8 May 1909.
  25. NASA, MPO 2/1/33, File 554, A.W. Borchers (natives’ superintendent) – town clerk, 18 July 1908. The only concrete transgression noted against Muthle was that he was fined for the amount of 2/6d in October 1904 in the Klerksdorp court for the contravention of Klerksdorp’s Municipal Bye-Laws. See application from Muthle for naturalisation as British subject, NASA, File CS597 3870, 14 August 1905. In his letters to the location superintendent, Muthle asked for evidence in writing on allegations made against him. See NASA, MPO 2/1/33, File 554, 06 August 1908.
  26. NASA, MPO 2/1/33, File 554, A.W. Borchers – town clerk, 18 July 1908; 4, 6, 7, 17 August 1908. Although the extensive content of File 554 is mostly about assumption of control of the township, tellingly, the official subject is: “Removal of Muthle from Location and Assumption of Control of Location.”
  27. Although this matter concerned only a single individual, everyone understood the general significance and probable consequences of his “subversive actions” in the oppressive order.

because he was an “educated native” and an “official of a coloured men’s political organisation”. For the editor, the events spoke of arrogance and it was also “abundantly evident that his action meets with the concurrence of many residents in the location”. Apart from breaking the law by not having the necessary location permit, the only “wrongdoing” the editorial mentioned was that Muthle was “an alleged undesirable”.<sup>28</sup> For certain white people his sexual prowess and his “undesirability” also counted against him, but Muthle had made a notable contribution by interceding on a national level on behalf of the local residents. He was possibly “removed” from the township and the country because of the complaints lodged against him by white people in Potchefstroom.

### **Domination and resulting oppositional action by “native authorities”**

The first known “native authority” who was also recognised by the white system, was a headman, a certain Hendricks, who occupied this position until 1900 when he was succeeded by Petrus Molotto, who retained his post until at least July 1903.<sup>29</sup> In 1914 the residents requested the town council to recognise a committee that was representative of the different denominations in the location: the Lutheran, Wesleyan, Dutch Reformed, Anglican, and African Methodist Episcopalian. Each church chose two members and the Baptist Church and the Church of Africa each chose one member for the committee with the location superintendent as ex officio chairman. The town council was positive towards the formation of an advisory committee, because they felt that liaising with township residents and knowledge of the “native point of view” was useful, also because this was the most effective way of “successfully controlling and uplifting them ... [and] allowing them, under competent supervision some share in the management of their own affairs”. The superintendent (A.J. Weeks) did not believe that this system could work, saying the council “should have absolute control”, and he voted against the proposal.<sup>30</sup> Not surprisingly, a few months later, the secretary of the committee sent a letter directly to the town clerk and explained that: “We are sending this direct (sic) for fear that it may not reach [the] desired distanation (sic).”<sup>31</sup> The authors complained that fifteen people had died in an incident which the superintendent had not reported. They also alleged that strong liquor was being sold in the location on Sundays, which had led to fighting. For this reason they demanded that the superintendent and his “police boys” be discharged.<sup>32</sup> This early attempt to form an advisory committee of township residents, under its reluctant chairman, Weeks, survived for little more than five months. After the above letter of complaint it ceased to exist.<sup>33</sup>

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28. “The Muthle Case”, *Potchefstroom Herald & Western Gazette*, 28 August 1908, p 5. The editorial covered the case of Muthle using a 96cm column, providing the arguments of the two opposing lawyers and the verdict. The resident magistrate stated that it was clear that Muthle was willing to comply with the regulations and the prosecutor admitted that the case of the town council against Muthle was vexatious.
  29. In 1912, a coloured person named G.H. Preston, the secretary of the Coloured Political Society sent a petition complaining about the superintendent to the town clerk. See Riekert, “Bantoe-administrasie in Potchefstroom”, p. 87.
  30. *Potchefstroom Herald & Western Gazette*, 30 June 1914, p 11. The next month, Weeks protested that the Transvaal administrator’s conditions for the removal of the “old kafir cemetery” to a “new native cemetery” was “nonsense”, because the old cemetery as an “absolute eye-sore”. See *Potchefstroom Herald an& Western Gazette*, 31 July, 1914, p 10.
  31. NASA, MPO, File 1800, town clerk – town council, 24 July 1914.
  32. NASA, MPO, File 1800, Native Advisory Committee – town clerk and superintendent, 24 July 1914, 10 December 1914, 14 December 1914. The superintendent explained that the case of fifteen people dying was in the hands of the attorney general.
  33. Riekert, “Bantoe-administrasie in Potchefstroom”, pp 82–89.

In 1916 the residents of the township was under the direct authority of the Health<sup>34</sup> and Parks Committee of the town council when leaders of the missions and congregants of the Wesleyan, English (Anglican), Lutheran and Dutch Reformed churches complained about the very late Saturday night dances in the township and accompanying disorder, annoyance, drunkenness and immorality. They requested that the town council put a stop to these activities and that permits for “these entertainments” be refused. The Health and Parks Committee resolved that the superintendent should not issue more than three permits per week for “dances, concerts, tea-meetings or any similar entertainment”. Permits would be withheld from “persons who make a business of such entertainment”; but “entertainments organised by Churches under the supervision of white missionaries [were] excepted”. This probably failed to have the necessary effect, since the South African Police (SAP) also became involved in 1918. They asked to be notified of similar events ahead of time so that arrangements could be made for “proper supervision”. They had a more pragmatic approach to their role in maintaining law and order than the Health and Parks Committee.<sup>35</sup>

One result of direct rule by the local authority was untoward action by the so-called “Municipal Police boys”<sup>36</sup> in 1917. Attorney Geo. S. Louw acted on behalf of an indignant Dick Mongosie whose house was entered and searched without a warrant and “without being accompanied by a white Constable”. He pointed out that this “illegal, degrading and unnecessary practice ... caused a great deal of resentment to the better class of the inhabitants of the Location”. Superintendent Fritz van der Hoff responded by merely indicating that the relevant bye-laws gave the location superintendent, or any official of the local authority, the right to have access at all times to “stands and huts and buildings” in the township. He had given permission to a members of the municipal police and a “plain clothes Police Boy” to search for liquor in Mongosie’s house. Louw protested that the town clerk had not read his letter “correctly”. He claimed that these

so-called Municipal Policemen are not recognised by Law, and ... they have no more right than I have to enter the houses of peaceful inhabitants, and since your Council appears to be unable and unwilling to protect my clients I have advised them to protect themselves in future, and you must depend upon it that should these illegal practices be further indulged in, serious consequences will result.<sup>37</sup>

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34. The significance of this particular emphasis of township administration as an issue of health is highlighted by M.W. Swanson, “The Sanitation Syndrome: Bubonic Plague and Urban Native Policy in the Cape Colony 1900–09”, *Journal of African History*, 18, 3, 1977, pp 387–410.
35. NASA, MPO, File 1795, mission churches – town clerk; and SAP – town clerk, 6 September 1906, 12 October 1906, 13 October 1906, 11 December 1908, 18 January 1919.
36. Very commonly, adults of the servant class were referred to or addressed as “boy” or “girl”.
37. NASA, MPO T430, File 959, Geo. S. Louw – location superintendent and town clerk, 22 October 1917, 24 October 1917, 25 October 1917, 26 October 1917. See also the altercation in 1929 when Benjamin Mohlomi, an assistant teacher, complained to the mayor that the location superintendent (Weeks) continually harassed and threatened him, even on the school premises, by saying that he was a *baster* (half-caste), and that he would see to it that Mohlomi would lose his job. Mohlomi claimed that Weeks also threatened to “break my neck without any definite reason.” Weeks wrote to the town clerk and explained that the children of the Dutch Reformed Mission School made a noise during play time and before school and that Mohlomi did not heed warnings to control them. According to Weeks, Mohlomi should be dismissed, and: “This will save me the trouble to break his neck!” See NASA, MPO T430, Files 382 and 1548, 28 October 1929 and 6 November 1929. The Native Administration Committee of the white town council was even looking into the possibility of “where Native Policemen can be recruited of tribes different to those residing in the Location”, undoubtedly intending to use them more effectively against local residents. See NASA, MPO, File 1800, 1928.

Nine years later, in terms of national legislation,<sup>38</sup> a Native Advisory Board set up in the location began in a very uneven manner. The location superintendent (Van der Hoff) was confident that the three people he had selected (and three elected members) would work together satisfactorily “... for the right course [cause?]”. However, in 1926, when the town council took an inordinately long time to approve the names of the Board members, the inaction drew complaints from residents that: “...this indicates how little you are interested in the affairs of the Natives”.<sup>39</sup> Soon afterwards, dissatisfaction grew when there was a rise in the water tariff without any clear benefit to the location. Another grievance was that the local authority hired white labourers to work in the location rather than *kleurlingen* (people of colour) despite the fact that “the remuneration came from their [the residents’] moneys”. There was also resistance to plans for constructing a road through the cemetery and the necessity of moving sixteen graves to do so. Moreover, the Advisory Board complained bitterly that the first notification that the location superintendent had resigned was in the local newspaper, *De Westelike Stem*. Following this, it asked plaintively whether it would have any voice in the appointment of the new location superintendent and were informed that they could “safely leave the appointment in the hands of the Council”. Board members also protested against the evening curfew because they considered it “unchristian and meant to degrade our people”.<sup>40</sup> Although some issues of concern were “explained” by officials in meetings, many were simply ignored, even up to 1934.

The residents were probably disillusioned with the rank ineffectiveness of the Advisory Board, because in 1928 no nominations were received for membership despite the superintendent’s efforts. Ironically, he used a conveniently glib reason for this: “... I do not think it is due to any lack of interest on the part of the natives, but is directly attributable to Communist influence.”<sup>41</sup> In 1930, distrust of the superintendent was widespread and at about the time when Josie Palmer emerged as spokesperson, location Board members conceded that they were too weak to have any influence. Wells describes the overwhelming role played by Palmer as a key leader and spokesperson in an inclusive struggle spearheaded by women,<sup>42</sup> their main complaint being the forced payment of lodger’s fees. Location residents refused to pay for their lodger’s permits, and on 16 March 1930 “numbers of natives paraded the location for the greater part of Sunday night singing their national songs”.<sup>43</sup> Officials increasingly turned to Palmer for answers about the women’s grievances.<sup>44</sup> The English language press in Potchefstroom and Johannesburg referred to the situation as the “running of a dictatorship” and maintained that the imposition of the

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38. The Native Urban Areas Act, 1923.

39. NASA, MPO, File 1800, town clerk – location superintendent – town clerk, 5 January 1926; 12 January 1926; 19 January 1926; 29 January 1926; 26 February 1926. The members of the Advisory Board also interceded on behalf of the location superintendent when he was on sick leave. They stated that he had discharged his duties “to the entire satisfaction of the location at large”. See NASA, MPO, File 1800, members of Advisory Board – town council, 30 September 1926.

40. NASA, MPO, File 1800, members of Advisory Board – town clerk; Minutes of Native Administration Committee; Water Tariffs, 3 March 1926; White labourers in location, 19 March 1926; Road through cemetery, 10 and 21 September 1926; Position of location superintendent, 30 September 1926; Position of location superintendent, 29 October 1926 and 12 November 1926; Evening curfew, 15 January 1927. With many of the above and subsequent complaints and requests, no response from the authorities was available on file.

41. In 1928 the superintendent had dictatorial powers over the residents. See Wells, “The Day the Town Stood Still”, p 284.

42. Wells, “The Day the Town Stood Still”, pp 288–300.

43. *Potchefstroom Herald*, 18 March 1930.

44. Wells, *We Now Demand*, p 67. According to *Potchefstroom Herald*, 29 January 1929, when Palmer led the women in a march they carried a banner with the wording: “In peace we want justice!”.

lodger’s fee “was little short of iniquitous”.<sup>45</sup> The secretary of Native Affairs, John S. Allison, depicted the policy of the town council as short sighted. In 1931 the council backed down and when it drew up a new budget, the fees for lodger’s permits were dropped. This restored the peace in the location.

In the late 1930s and 1940s, although participation improved, the Native Administration Committee still viewed the primary work of the members of the Advisory Board as merely ensuring that there was order in the township.<sup>46</sup> Consequently, the tense relationship between the Advisory Board and their white political counterparts continued unabated.<sup>47</sup> The white local politicians comprised the town council, their Native Administration Committee, the official directly responsible for administering the affairs in the township (the superintendent), and his municipal policemen. Dissatisfaction was expressed over a number of issues, including a white policeman (Potgieter) who acted unjustly (1938); and that the superintendent (Weeks) expected people arriving by train at night should immediately report to his office (1939). In addition, although the Board had respectfully asked to have insight into the budget of the Native Administration Committee, the first discussion of its contents by the Advisory Board was more than two years later (1944). Then too, certain of the Board’s requests were quashed by officials or the town council by (untruthfully) claiming that the matter was proscribed by law, such as providing a trophy for sports teams (1946). On the same basis, use of water from the river for gardens in the location was refused during a “famine” (presumably as result of a drought) in the country (1946).

This authoritarian and extremely paternalistic system of control in the location frustrated many of the Board’s constructive ideas because of the Committee’s insensitive plethora of “reasons”, such as: “it has already been accepted” (1946); “if one of you is not approved by Council as member of the Board, do not be dissatisfied” (1947); “I did not come for oppression but for cooperation, [and therefore I have to] ... keep undesirable people from the location” (1946). However, most matters were discussed in a cordial manner and the Board added many qualifications to the ideas received from the (white) town council, the Native Administration Committee and the location superintendent. It does not seem that the suggestions from the Advisory Board were ever handled in a formal way, and much of their advice had no visible effect.<sup>48</sup>

The white town council and by extension their officials, decided on a myriad of matters, purportedly trying to “improve” circumstances while actually, in a paternalistic way severely regulating the scope of daily life in the location. Although the members of the Board consistently asked for better facilities like lighting of streets; improvement of road surfaces; upgrading of the sanitation system; building a crèche; re-building the Springbok

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45. Wells, *We Now Demand*, p 81.

46. NASA, MPO, Files 1544, 1800 and 3040. In all the documentation from 1922 to 1950, the opinions of the residents were in stark contrast to those of the town council and officials.

47. In 1936, 1939 and 1942, elections were held but the interest of the residents was very limited. Most of the time, members were appointed to the Board. See Rieker, “Bantoe-administrasie in Potchefstroom”, pp 97–100.

48. In a limited number of cases the Advisory Board went beyond complaining about undesirable conditions in the location and questioned the very basis of authority of their white masters. They did so first by protesting against the presence of the location superintendent at a Board meeting. They later claimed that the location superintendent had too much power in deciding who was “undesirable” in the location (1946). See for example, NASA, MPO, File 2040, Minutes Advisory Board and Native Administration Committee, 31 January 1938; 6 March 1939; 4 May 1942 to 23 June 1944; 27 February 1945 to 3 April 1945; 27 March 1946; 26 June 1946; 22 January 1947; 27 March 1946; 28 August and 2 October 1946; 30 April 1947; 28 May 1947; and 24 March 1954.

Hall; the creation of sports fields; and stopping the sub-division of residential sites (1946 and 1954), those in a position of control usually had more pressing issues to deal with.<sup>49</sup> The superintendent even gave his eight municipal policemen orders to be in church on the first Sunday of every month to be an example to the other people (1947).

The responsibilities of the Board members covered a wide range of issues devised for them in this same paternalistic manner, such as seeing that back yards were kept clean and that gambling be frowned upon. Children were encouraged to attend school; all people should be encouraged to attend church services and young people should marry legally (1947). A senior official in the administration of “natives” in Potchefstroom, admitted that the advisory body system of the time failed because of developments in the wider South African political scene. He also felt that the activities of the Industrial and Commercial Union (ICU) and the Communist Party of South Africa (CPSA) had played a role,<sup>50</sup> but was quick to emphasise that although the objectives of these organisations sounded noble, they were prone to cause undue “unrest among the Natives and dissatisfaction with their wages”.<sup>51</sup>

### **The articulation of Potchefstroom’s protest with national protest**

Three national organisations were well supported in Potchefstroom. The ANC was launched as a moderate organisation for elites in 1912 and attracted support largely because of its protest against colour differentiation in the South African constitution; by its ability to transcend tribal mobilisation and the barriers of provincial boundaries; and by vociferous opposition to crucial early oppressive laws.<sup>52</sup> As disillusionment grew among black people, especially in the 1940s, and bitterness increased under oppressive laws in the 1950s, the ANC became the leading protest organisation in South Africa.<sup>53</sup>

The era after World War I witnessed wide-ranging protest activity against white authority in South Africa. Protest politics took place against the background of dashed expectations and were organised as wage protests and opposition to the pass system. The ICU was able to mobilise urban and rural blacks on a significant scale after 1920 but could never act as the moving force behind resistance and “often merely channelled protest which was already coalescing” in other institutions.<sup>54</sup> It fell far short of its goals, even though it also “created one of the most radical movements ever seen in South Africa”,<sup>55</sup> and probably

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49. NASA, MPO, File 2040, Minutes Native Administration Committee, 27 January 1942.

50. Rickert, “Bantoe-administrasie in Potchefstroom”, pp 99–101. Apart from this, he blamed location superintendents for not being knowledgeable about the “political system of the natives”, as practised in the distant past. The Communist Party of South Africa (CPSA) evolved into the South African Communist Party (SACP) in 1953.

51. NASA, MPO, File 2040, Letters regarding meetings in the location, 27 January 1942; 8 December 1942; 29 November 1943; 31 January 1944.

52. For example, the Representation of Natives Act in terms of which Africans were removed from the common voters’ roll; the establishment of the Native Representative Council; the Native Land and Trust Act. In 1937, the Natives’ Laws Amendment Act sought to reinforce the system of urban segregation and influx control. See A.M. Grundlingh, “Segregation, Black Politics and Trade Unionism”, in B.J. Liebenberg and S.B. Spies (eds), *South Africa in the 20th Century* (Van Schaik, Pretoria, 1993), p 298.

53. J. Grobler, *A Decisive Clash? A Short History of Black Protest in South Africa, 1975–1976*, (Acacia, Pretoria, 1988), pp 50–57.

54. H.A. Bradford, *A Taste of Freedom; the ICU in Rural South Africa, 1924–1930* (Ravan Press, Johannesburg, 1987), pp 2, 8–9, 13–20, 17–18.

55. Bradford, *A Taste of Freedom*, p xiii.

also aroused the residents of Potchefstroom to an awareness of their economic bondage.<sup>56</sup> It even pushed the ANC into the background for a number of years. Serious strikes took place on the Witwatersrand when labour leaders articulated local grievances and thereby managed to gain wide-ranging support.<sup>57</sup> The ANC, ICU and the Communist Party increased their support significantly in the 1920s, after the CPSA came to prominence in the Rand strike of white mineworkers. When the party reoriented itself and began organising black workers, it also recruited T.E. Mofutsanyana and J. Palmer, from Potchefstroom, who both played an important role in the party in later years. Most of the CPSA’s black members also belonged to the ANC, although this decade saw recurring strain in the relationship between the two parties, with the ANC torn by internal dissent and the Communist Party constantly working to infiltrate and manipulate its more moderate rival.<sup>58</sup> The CPSA was declared illegal in 1950 and re-launched itself in 1953 as the South African Communist Party (SACP) which played a significant role in the struggle for liberation.

The Transvaal Native Congress (TNC)<sup>59</sup> had an active branch in Potchefstroom that even hosted the meeting in 1922 when their opposition to the Urban Areas Bill was discussed.<sup>60</sup> Their secretary informed the town clerk that the TNC would meet in Potchefstroom to discuss the Urban Areas Bill and the Native Commission and invited him to attend. Similarly, in July 1922 the branch informed the location superintendent (Van der Hoff) of a district meeting and invited him to attend. There are no records of the responses to this correspondence. In December 1923, Van der Hoff was also informed that Sol. T. Plaatje would address a public meeting in Potchefstroom “as a delegate from England”. During the 1920s, leading militant speakers of the CPSA and the South African Native National Congress (SANNC, later the ANC) such as James S. Thaele (a prominent South African Garveyist) and T. William Thibedi/Thabedi visited the township and raised massive support for the CPSA.<sup>61</sup> Weeks, the location superintendent at the time, reported to the Health and Parks Committee “on the movements of [the] above Native Organisations at the Potchefstroom Location” and from 1927, all political meetings without the necessary permission were forbidden. In 1928 the TNC was informed that meetings could not be held without the written permission of the town clerk, although it soon became clear that the superintendent had no legal basis for this requirement.<sup>62</sup>

This pretence of legality was again used in 1928 when Thabedi, a “native agitator” and “Communist teacher from Johannesburg” organised meetings of the CPSA. The location superintendent, who regularly insulted and belittled black people,<sup>63</sup> alleged that he had contravened the governor-general’s notice prohibiting the holding of assemblies in locations without special permission of the local magistrate. The result was that hardly any rent was paid and that there was a tendency among Africans to treat him with “indifference,

56. J. and R. Simons, *Class and Colour in South Africa, 1850–1950*, (IDAF, London, 1983), p 364.

57. Grobler, *A Decisive Clash?*, Bradford, *A Taste of Freedom*, pp 2–20.

58. Grobler, *A Decisive Clash?*, pp 62–63.

59. The TNC was founded in 1903 and later functioned as the Transvaal branch of the ANC.

60. Wells, “The Day the Town Stood Still”, pp 282, 284.

61. NASA, MPO, File 959, ANC – location superintendent and town clerk, 8 March 1922, 25 March 1922, 26 July 1922, 18 February 1926. See also, Wells, “The Day the Town Stood Still”, pp 269–307.

62. He did, however, use his legal authority in December 1926 when he found “several natives in the location who had no business” to be there and ordered them to depart with short notice because he was “convinced they were organisers of the ICU”. See NASA, MPO, File 5928, town clerk –location superintendent, 12, 13 August 1927; 3 April, 1 May 1928.

63. R. Edgar, *The Making of an African Communist: Edwin Thabo Mofutsanyana and the Communist Party of South Africa 1926–1939* (Unisa Press, Pretoria, 2005), pp 6–7; 9; 12.

almost amounting to contempt”. Thabedi talked about a coming “revolution”; their dashed hopes after the South African War and World War I; and the suppression of blacks in general. He was eventually indicted in terms of the Native Administration Act of 1927, allegedly for the “intention to promote hostility between natives and Europeans”.<sup>64</sup> However, P. Bunting, the defending council, argued that the “intention to create hostility was absent from all these subject races”, and indeed, they “... merely wanted to create better conditions. It was a cry for justice”.<sup>65</sup> The magistrate, R.P. Boggs, found that as no specific offence was disclosed at the trial, and because the CPSA stood for the struggle between the haves and have-nots and was not concerned with race, the case was dismissed. His ruling was that: “This country is a free country; ... where everyone has the right to hold meetings, [and] ... free speech is allowed unless one transgresses the law”.<sup>66</sup> Thabedi’s court case was at the hub of protest marches of the location residents; an attack on the location superintendent and several police constables; a tumultuous meeting where the Red Flag was waved and Douglas C. Walton was injured; and the occurrence of other related court cases of assault.<sup>67</sup> The CPSA had an impressive start and claimed that its Potchefstroom branch had 700 members or more after only three weeks. Two members of the Party even had seats on the Advisory Board.<sup>68</sup> The “unrest” of 1927–1929, clearly led by the CPSA,<sup>69</sup> was also partly the result of meetings of the TNC and the ICU in Potchefstroom. The ICU claimed that it was “not against the Europeans but rather that there should be more understanding between the Employers and the Employees”, and aimed to organise unskilled workers with a view to improved payment and labour conditions.<sup>70</sup>

It is in this period that Josie Palmer showed strong and sound leadership of the women’s section of the CPSA in Potchefstroom. Against a background of rapid urbanisation, dire poverty and neglect of Potchefstroom’s location, many women relied exclusively on their income from lodgers, and the lodger’s permits were designed to weed out poor, unemployed residents.<sup>71</sup> The arrival of Thaelle in 1926 (he was active in both the Communist Party and the ANC) and Thibedi’s trial in 1927, meant that the CPSA gained significant backing in the township; women widely supported and spearheaded the 1928–1930 protest action against lodger’s permits.<sup>72</sup> This formed the basis of Palmer’s subsequent career as an important activist. The information we have on Palmer provides detail on the part she played in Potchefstroom in the late 1920s; her activities in Benoni in the 1930s and the evidence she provided in 1935 on what was termed “the factional struggle in the Communist Party of South Africa”. She also participated in other protests such as the anti-pass campaign of 1943–1945; efforts to increase the wages of teachers; a deputation to the Public Utility Transport Company (PUTCO), which she led in 1964; and the activities of

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64. This prosecution was the first of its kind in the Transvaal. See *Potchefstroom Herald*, 30 March 1928; and Wells, *We Now Demand*, p 68.
65. *Potchefstroom Herald*, 20 March 1928 and 30 March 1928.
66. *Potchefstroom Herald*, 30 March 1928.
67. *Potchefstroom Herald*, 20 and 30 March 1928; 10 April 1928; 4 May 1928. Walton, secretary of the CPSA, said the attack on Market Square “was organised by a group of European hooligans, who were obviously disappointed by the magistrate acquitting the native Thabedi, who is a member of our party”.
68. Simons and Simons, *Class and Colour in South Africa*, pp 399–400; Edgar, *Making of an African Communist*, p 8.
69. Edgar, *Making of an African Communist*, pp 5–15.
70. NASA, MPO, File 5928 and File 1549, town clerk – location superintendent, 12 and 13 August 1927; 3 April and 1 May 1928; 9 July 1929; ICU – location superintendent, 2 May 1928. No records could be traced for the period between 1930 and 1942.
71. Edgar, *Making of an African Communist*, p 6; Wells, *We Now Demand*, pp 66–70.
72. Wells, *We Now Demand*, pp 66–70. See also, Riekert, “Bantoe-administrasie in Potchefstroom”, pp 100–101.

Federation of South African Women. Josie joined the CPSA in 1926 when the party still had serious problems establishing their position on segregation, racialism and male chauvinism. By 1937 she had become a fully-fledged member of the CPSA’s Political Bureau and in 1946 she was still a member of its Central Committee. Palmer’s first major political activity, however, began in the organised protest against lodger’s permits in the Potchefstroom location from 1926. She soon became branch secretary of the CPSA until about 1930, when she and her common-law husband (Thabo E. Mofutsanyana) were ejected from the location despite strong protest from her neighbours. She was active in 1954 (with the likes of Lilian Ngoyi, Helen Joseph and others) in forming the Federation of South African Women.<sup>73</sup>

The local authority’s ability to control the meetings of protest organisations was undermined by the patronising attitude and insecurity of white officials, as evidenced by the town council’s pronouncement that

... the Natives generally have not the mentality to view matters in proper perspective and this type of propaganda will give rise to great dissatisfaction and mistaken ideas among Natives especially under present war conditions in a country which has a minority European population.<sup>74</sup>

The Advisory Board protested when meetings of the African Commercial and Distributive Workers’ Union were prohibited in 1942, because they felt that these organisations helped to inform the residents on matters about the outside world. At the time the town council insisted that organisations applying for permission to hold their meetings had first to submit their constitutions for scrutiny, along with the names and addresses of speakers and a written statement “clearly setting out the points to be covered by the speakers and the trend of the views to be expressed by them”.<sup>75</sup>

In the early 1940s there was heightened antagonism in the country because Dr Y.M. Dadoo of the Communist Party, together with several other organisations, was planning to launch a Transvaal Non-European People’s Conference in June 1942. Dadoo pointedly referred to the “agents of Fascism in South Africa, the Nationalist (sic) Party and the Ossewa-brandwag leaders, [who] are waiting to strike” and called upon all South Africans to oppose these agents to bring an end to discriminatory laws in the country.<sup>76</sup> During this period residents of the township were again directly involved in organising protest meetings. In 1943, Mdatyulwa signed an ANC letter indicating its intention to hold a meeting in the local Berlin Mission Hall. The provincial secretary, C.S. Ramohanoe; Dr Colin Steyn (Minister of Justice) and Dr A.B. Xuma (of the ANC) would then report on the Anti-Crime Conference.<sup>77</sup> Furthermore, Mdatyulwa (and “other well known Communists”) had to postpone a meeting planned for May 1944 after Weeks informed them that they could not gather on the town square without permission. Eventually, Sergeant Mitchell of

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73. Roth, “Josie Mpama”, pp 120–136; Wells, “The Day the Town Stood Still”, pp 282, 284.

74. The town clerk refers to the Communist Party, who in their pamphlets distributed in Potchefstroom, set their aims as the abolition of “Native Pass Laws”, higher wages for “non-Europeans”, abolition of the “Colour Bar”, “Equality of Rights”, and “Enlistment and Arming of non-Europeans on an absolutely equal footing with Europeans”. See NASA, MPO, File 1799, town clerk – secretary of Native Affairs, 14 September 1942.

75. NASA, MPO, File 5928, Native Affairs Department, Potchefstroom Town Council, Ordinary Meeting 515, 22 September 1942 and Minutes Town Council 23 October 1942; town clerk and treasurer – location superintendent, 26 October 1942.

76. NASA, MPO, File 2218, Circular by Y.M. Dadoo regarding Transvaal Non-European People’s Conference, circa June 1942.

77. NASA, MPO, File 1799, ANC – town clerk, 28 July 1943.

the Criminal Investigation Department attended this meeting, but he explained that he was “merely there to hear what they had to say and had no authority to stop the meeting”.<sup>78</sup>

From 1945 to 1948, the TNC, the Transvaal Council of Non-European Trade Unions and the Municipal African Workers’ Union had difficulty obtaining the necessary permission to gather in the township. In some cases they could not meet the town councils’ requirements on an agenda for a meeting. In one instance, a council committee had to approve the application, but would only meet a month later. The two organisations involved were candid about their objectives: they wanted to “revive the Congress Branch and collect signatures on the Anti-Pass Petition” and also to discuss the Industrial Conciliation (Natives’) Bill and the Unemployment Insurance Act. Applications such as these that were turned down had a direct bearing on highly contentious national issues that were to be discussed. The Advisory Board also ran into problems because they wanted a delegate to report back on his impressions of a meeting where Senator H.M. Basner (the native representative in parliament) had given an address. This report back meeting in 1947 was approved only on the condition that the mayor, the vice-mayor, the chair of the Native Administration Committee and the town clerk, “as well as any other interested councillors, who will represent Council, shall also have the right to address the meeting”.<sup>79</sup> But in contrast, when W.G. Ballinger applied for approval to hold a meeting in June 1948, it was seen as a legitimate request because the issue to be discussed was the vacancy of Basner in the Senate.<sup>80</sup> This application was duly approved.

An example of the shift in the tenor of national political sentiment can be seen in the late 1940s and early 1950s. The Action Committee for Freedom of Speech, Assembly and Movement (its formation confirmed by a letter signed by J.B. Marks), was initially dismissed by the Potchefstroom authorities as not being a political body and yet, later in the 1950s this opinion proved incorrect. It was linked to the Communist Party and consequently the members of the Advisory Board were advised not to attend its meetings because the town council was “against the dangerous policy” and members who attended such meetings would do so at their own risk.<sup>81</sup> These events reflected a national frustration; a large number of campaigns were undertaken against the South African government, but with very little success.<sup>82</sup> The residents of Makweteng were often actively involved in or at

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78. NASA, MPO, File 5928, Native Administration Department, location superintendent - town clerk, 1 May 1944.
79. NASA, MPO, File 5928, city clerk – Native Advisory Board, 26 February 1947, 8 March 1947; city clerk – ANC 25 June 1945; 19 July 1945; 21 July 1945, 12 October 1945; 28 March 1947; 25 June 1947; city clerk – Transvaal Council of Non-European Trade Unions, 19 April 1948, 4 May 1948; city clerk – W.G. Ballinger 7 June 1948; city clerk – Municipal African Workers’ Union, 30 May 1944.
80. NASA, MPO, File 5928, “Senate Election 1948, Transvaal/Orange Free State (In Accordance with the Provisions of Representation of Natives Act, 1936)”. This manifesto was part of W.G. Ballinger’s election campaign in which he addressed “chiefs, headmen, members of electoral committees and advisory boards”.
81. NASA, MPO, Files 2040 and 2347, city clerk – Action Committee for Freedom of Speech, 25 May 1949, 20 March 1950, 16 March 1950. Because of the clear views expressed at Location Advisory Boards Congress (LABC) meetings in 1950, the Non-European Affairs Committee of Potchefstroom decided that members of the Advisory Board would not attend their meetings in future and in 1954 they decided that members from their Committee would not be delegated to the annual LABC meeting at all. See also, NASA, MPO, File 1800, Minutes Native Advisory Board, 3 March 1950; and 1954.
82. When the Suppression of Communism Act was passed, the ANC’s Council of Action decided to have no further cooperation with the government. Other expressions of frustration on the part of anti-apartheid groups were the Defend Free Speech Convention and a number of work stay-aways. A national day of protest was also declared and the Franchise Action Council was established. See Grobler, *A Deceptive Clash?*, pp 92–97.

least aware of many of these actions and some of them played a leading role. A range of national organisations, such as the TNC, the ICU, the African Commercial and Distributive Workers’ Union (ACDWU) and the Communist Party, sent correspondence to Potchefstroom, held their meetings there, or had significant membership among the residents. Prominent political figures also visited the township for political gatherings, among them Plaatje, Thibedi, Thaela, Basner and Ballinger. Among the residents who played a role in national affairs, were Muthle (for his efforts in raising petitions), Palmer and Mofutsanyana. As for Mdatyulwa, his political contribution was prominent at the local level before making his name in national resistance politics.

**James Zwelinjani Mdatyulwa: Native Advisory Board member and churchwarden in a “white man’s church”<sup>83</sup>**

The South African political climate was changing largely due to the activities of the ICU and the ANC and this unquestionably emboldened the Advisory Board and Mdatyulwa when he was elected as a member in 1941. The Board not only requested the town council to supply them with a copy of its minutes, especially those dealing with discussions on “non-European affairs”, they also supported the radical resolution of the Joint Council of Europeans and Africans that was requesting the municipal council to accept “the principle of direct representation of Urban Natives in the Municipal Council by a European citizen elected by natives themselves ... [as] ... in the Legislative Councils of the Land”.<sup>84</sup> Furthermore, the Board wanted to be “as fully conversant as possible with the administration of Location affairs”, so they “respectfully request[ed] the Native Administration Committee of the Town Council to submit to it the draft estimates of the Location annually at least a month before they are finally adopted”.<sup>85</sup> The Board unanimously decided to forward these requests to the town council.

Mdatyulwa gained the support of the members on a remarkably wide array of matters. Almost all the issues in the minutes of August 1942 were put forward by Mdatyulwa and were unanimously accepted. These resolutions included views on the negative attitude of the local authority and its Native Administration Committee towards “non-European organisations and leaders outside Potchefstroom” and their prohibition of meetings of the ACDWU, although the leaders of the union had complied with the demand to submit a copy of their constitution and showed that they were “neither political nor anti-Government”. The Board felt that “Potchefstroom non-Europeans should be allowed to make free contacts with their leaders in other parts of the country” and to hold public meetings with their leaders “to enlighten the people and to promote better relations between races ... unless there be reasonable ground for believing that the holding of such meetings may provoke or tend to a breach of the peace.” They also pleaded for fairness and

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83. University of the Witwatersrand, Historical Papers, Church of the Province of South Africa (hereafter WU, CPSA), AB 2013/P 3.1.2.2, J.Z. Mdatyulwa – Rev. G.H. Clayton, Bishop of Johannesburg, 14 November 1946, p 2.

84. NASA, MPO T430, Minutes of Native Advisory Board, 23 March 1942; 31 August 1942. No indication could be found on file that the local authority ever responded to these issues. The Joint Councils were antagonistic to Communist influence and initially comprised well-known blacks who were anxious to work with sympathetic whites to improve their position. In the period 1951 to 1952, Potchefstroom had one of the 33 Joint Councils of Europeans and Non-Europeans initiated by the South Institute of Race Relations (SAIRR), establishing welfare and self-help organisations and functioning as liaison between township residents and local authorities. See M. Horrell (ed.), *A Survey of Race Relations in South Africa, 1951–1952*, (SAIRR, Johannesburg, 1953), pp 20–21; and Grobler, *A Decisive Clash?* pp 72–74.

85. NASA, MPO T430, File 2040, Mdatyulwa – Native Advisory Board, 28 October 1941; 4 March 1942; Minutes of Native Advisory Board, File 2040, 26 March 1942.

improved relations and complained that the local authority did not allow the members of the Board to accept an invitation to attend a meeting of the Transvaal Non-European People’s Conference “to shape the destiny of all non-Europeans, and this solely on grounds of fear of ‘an outside influence’, even when [they wanted to] ... give a united expression of their support and loyalty to the Government of the Country in its war effort”.<sup>86</sup>

The national influence of Mdatyulwa is well illustrated by his record of a meeting of the Location Advisory Boards’ Congress (LABC) in December 1942.<sup>87</sup> The gravity of the issues discussed by the delegates and their anticipation of an inclusive political set-up is a clear indication of changing times both nationally and internationally. They questioned how much “Africans and other non-Europeans” shared in progress; complained that the native question was deliberately and conveniently avoided in all speeches delivered by [white] men in official capacities; discussed the probability of freehold title (for Uitenhage) and full franchise for natives; and the view that there was no longer such a thing as master and servant in a well-ordered society.<sup>88</sup> In addition, the president of the LABC, R.H. Godlo, and other African speakers severely condemned the policy of segregation; lodger’s permits and permit fees in native locations; and asked for the recognition of African trade unions and the statutory recognition of their own Congress. Their high hopes of imminent change were expressed by reference to the Atlantic Charter’s recognition of all people having the right to choose their own government and that: “... the Africans should be ready with their case at the peace conference” after the war.<sup>89</sup>

Mdatyulwa then refers to his own role in his handwritten report, explaining how he drew the attention of the LABC to a report in the press on new emergency regulations, making it illegal to go on strike if not covered by the Industrial Conciliation Act. Since Mdatyulwa felt that this targeted the African section of the population, the LABC sent a telegram of protest to the Minister of Labour, and another to the ANC, which was meeting at the time in Bloemfontein. According to Mdatyulwa’s report, he made a proposal – which was unanimously accepted – on the lack of definition of the duties and functions of local Advisory Boards that was duly accepted by Congress. This resolution urged the minister and/or secretary of Native Affairs to table a draft “pattern definition” at the next meeting of the LABC.<sup>90</sup> Mdatyulwa clearly used his position very well in articulating the same progressive ideas at both the national and local levels of the advisory board system.

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86. NASA, MPO T430, Minutes Native Advisory Board, 31 August 1942. Under the guidance of Mdatyulwa the Board indicated that a library was needed for the location and that a stone building should be built to replace the dance hall, which was a corrugated iron and wood structure.

87. NASA, MPO T430, File 1800, Report LABC of South Africa, 17, 18, 19, 20, 21 December 1942, pp 1–16. Handwritten report by Mdatyulwa, signed 15 February 1943. In 1932 the location superintendent of Potchefstroom had indicated his disapproval of the LABC because the residents already had: “...ample scope for ventilating their grievances and seeking redress through local organisations such as the Joint Council of Europeans and Natives and the local Advisory Board, which organisations are in close touch with local conditions”. See NASA, MPO, File 1800, location superintendent – town clerk (re LABC), 4 February 1932; 12 February 1932.

88. These issues were raised by white liberal speakers.

89. NASA, MPO T430, File 1800, Report of LABC of South Africa, 1943, p 7.

90. NASA, MPO T430, File 1800, Report of LABC of South Africa, 1943, p 12. Delegates from Potchefstroom also attended the LABC of 1949 when Dr W.W.M. Eiselen (secretary of Native Affairs) explained the National Party government’s viewpoint and the President (R.H. Godlo) referred to segregation at post offices and on railways. He did not see apartheid as making provision for separate but equal services but as “a heaven for the whites and a small hole (*qaatjje*) in the back for the natives”. See NASA, MPO, File 2347, Minutes of LABC of South Africa, 18–21 December 1949.

Mdatyulwa was already heavily involved in politics by 1943 when he wrote a letter explaining that he would not be able to accept “an invitation to appear before the town council”. He explained that three days’ notice was too short “for one who is as busily engaged as I am, in the service of Africa”.<sup>91</sup> He also indicated that he had handed this matter to his legal advisers to communicate with the town clerk. The reason for his inability to comply with the town clerk’s invitation was that the local Advisory Board had elected him to represent Potchefstroom at the LABC meeting in Pretoria which was due to meet shortly after his attendance at a joint meeting of the ANC and the All-African Convention in Bloemfontein.<sup>92</sup>

Mdatyulwa must have been a great source of irritation for the white authorities in Potchefstroom on account of his decisive leadership on the Advisory Board and the fact that his involvement in national politics made it impossible for him to appear before the town council. Indeed, it is surprising that the council only acted against him in December 1943 when his lodger’s permit was rescinded because he was no longer employed and had been unemployed for four months.<sup>93</sup> Before he could meet the local council the “owner” of the house in which he was a lodger was given notice to leave the house. In reaction, Mdatyulwa reasoned that he would not easily find new lodgings because of the shortage of accommodation in the township and therefore it made no sense to appeal to the council. He therefore asked permission to stay in the township for another 21 days to gather his belongings and to organise his affairs.<sup>94</sup> He probably left the location early in 1944.<sup>95</sup>

Late in 1946 Mdatyulwa wrote a lengthy letter to the Bishop of Johannesburg levelling a series of accusations against the Anglican Church and its discriminatory treatment of its black members, especially the differential treatment of ministers on the grounds of skin colour. He bemoaned the attitude of whites who claimed to be experts on African affairs and “authorities on African feelings” and because of this arrogant influence, he saw no possibility of reforming the church. Furthermore, he derided what he called this white man’s church, because its actions made it impossible to speak effectively in public or in its assemblies “against the injustices and inequalities (the presence that it has denied), which militate so glaringly against the African in particular and against the non-white racial groups in general”.<sup>96</sup>

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91. A letter involving Mdatyulwa, and signed by D.W. Bopape and Y.M. Dadoo, criticises the pass laws as a “negation of democracy, more in the spirit of Hitlerism than of the Atlantic Charter”. See NASA, MPO T430, File 1799, ANC – town clerk, 28 July, 1943; NASA, MPO, File 5928, location superintendent – town clerk, 1 May 1944. Subsequently Mdatyulwa and the ANC intended holding a meeting in the local Berlin Mission Hall. This meeting was organised by the Anti-Pass Committee of Johannesburg who stated in their pamphlet that “Pass Laws made slaves of African people”. It was a follow-up of a National Anti-Pass Conference held at the Ghandi Hall, Johannesburg on 20 and 21 May 1944.

92. NASA, MPO T430, File 1484, Mdatyulwa – town clerk, 13 December 1943.

93. NASA, MPO T430, File 1484. This action against him was reportedly in terms of the Native Location Regulations, 2 December 1943. In this same file there are two separate sworn affidavits dated 9 December 1942, stating that he had received money on behalf of a firm he had worked for, and that he had pocketed this money.

94. NASA, MPO T430, File 1484, Mdatyulwa – town clerk, 27 January 1944.

95. His letters of 1946 were addressed from Johannesburg.

96. WU, CPSA, AB 2013/P 3.1.2.2, Mdatyulwa – Rev. G.H. Clayton, Bishop of Johannesburg, 14 November 1946, pp 1–2. Mdatyulwa had already been disciplined by the Anglican Church in 1940 for more than one transgression when he was a churchwarden of the Anglican Church in the Mission District of Potchefstroom. See WU, CPSA, AB 2013/P 3.1.2.2, Diocese of Johannesburg – Mdatyulwa, 28 October, 1940. Again, from 1943 to 1946 he was impeached in a protracted and well-documented process, and eventually removed from office on account of his having had “immoral sexual relations” and fathered two “extra-marital” children. See WU, CPSA, AB 2013/P 3.1.2.2,

He also criticised the indifference and negativity of the Anglican Church on the liberation of Africans from the oppressive South African political system, and that the church leaders created the impression that the Anglican Church was the “champion of the cause of the underprivileged”, and the “non-white racial groups in general”.<sup>97</sup> To illustrate his accusation, he referred to the Chief Bishop in Cape Town who indirectly refuted the allegations made by Sir Maharaj Singh against South Africa’s terrible treatment of people in the “land of their forefathers” and the negative attitude of the church towards Rev. Michael Scott when he aligned himself with the passive resistance of the Indian people in South Africa. According to Mdatyulwa, even the discussions over two or three years in the diocesan synods and conferences were deliberately designed to “confuse issues in order to cripple the National Struggle of the African People for democratic rights”.<sup>98</sup> Although he acknowledged the blessing of having men with the courage of their convictions in the church and his gratitude for missionary endeavours in the spheres of social reform and education, he severed his connection with the “English Church” and warned that: “The African hour has struck!”<sup>99</sup> With his strongly developed political ideas, Mdatyulwa played a role in a national body in 1949 at a joint meeting of the National Executive Committees (NECs) of the ANC and the All-African Convention.<sup>100</sup> The latter, with Mdatyulwa in its NEC, argued very strongly for non-cooperation with institutions that were created for an “inferior” race whereas the ANC, in the words of Moses Kotane, stood for “non-collaboration – when the people were ready” and Oliver R. Tambo observed that: “We should accept the principle [of non-collaboration] and then decide when to apply it and where”.<sup>101</sup> Nothing is known about Mdatyulwa’s later life as an outspoken and eloquent critic of socially and politically oppressive measures on both local and national levels.

## Conclusions

The prominence of protest against discrimination by nationally organised bodies often tends to obscure the extent of organisation and resistance on the local level. Even in a relatively peaceful township, organisational involvement and strong protest has been significant. This is certainly true of Makweteng (the old location) in Potchefstroom. In addition, a lack of violent resistance does not necessarily mean acquiescence to oppressive legislation and discriminatory policies. From the early 1900s individuals argued that they had certain rights as citizens in the country of their birth and the direct involvement of township residents in local authorities and protest organisations indicated their overwhelming dissatisfaction with oppressive laws.

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1940a, Mdatyulwa – “Sana Lwam” [My baby] 15 May 1940; 1940b, Mdatyulwa – “Sana Lwam” [My baby] 29 August 1940.

97. WU, CPSA, Mdatyulwa – Rev. G.H. Clayton, Bishop of Johannesburg, 14 November 1946, p 3.

98. WU, CPSA, Mdatyulwa – Rev. G.H. Clayton, Bishop of Johannesburg, 14 November 1946, p 3.

99. WU, CPSA, Mdatyulwa – Rev. G.H. Clayton, Bishop of Johannesburg, 14 November 1946, p 4.

100. In 1935, a broadly representative group of African leaders met in Bloemfontein to strive for affiliation of African religious, educational, economic, political, and social organisations. The AAC soon became a national rival to the ANC. In 1939 a deputation of the LABC and the ANC had an interview with the Minister of Native Affairs and met the parliamentary “natives” representatives”. In 1944 the AAC Executive Committee adopted a programme of “non-collaboration” with white-dominated bodies and in 1949 efforts failed to achieve unity between the ANC and the AAC. See Johns, “Protest and Hope”, pp 12; 378–388; and T. Karis, “Hope and Challenge 1935–1952”, in Karis and Carter (eds) *From Protest to Challenge*, pp 138–145.

101. This meeting, held in the hope of greater unity between the two organisations, broke down. A letter from I.B. Tabata to Nelson Mandela on June 16 1948 indicates the deep divide already existing between the two organisations. In 1950 the ANC’s Council of Action decided to end all cooperation with the South African government. See Karis, “Hope and Challenge”, pp 362–368, 380, 381 388.

Here a study is made of several individuals who used their limited means to engage a large and powerful system. Lazarus Muthle was an excellent petitioner. He kept up his efforts for a number of years but the authorities judged him an “undesirable” person and made his stay in the location and the country impossible. James Mdatyulwa was an erudite critic, using his skills to confront both the Anglican Church and the advisory board system by indicating their duplicity and the untenable system of segregation and apartheid. Because of the sustained efforts of these and other individuals (notably, Josie Palmer), “controlling the natives”, even at municipal level, was only partially successful. In Potchefstroom these remarkable individuals led their fellow residents in opposition to a repressive system of political, economic and social exclusion. Muthle, Mdatyulwa and Palmer paid the price by being ejected from the location. These grassroots elements in the local struggles against legalised segregation and apartheid must have provided an excellent starting point for the work of an organisation such as the United Democratic Front (UDF), formed in 1983 as a broad, non-racial coalition of about 400 civic, church, students’, workers’ and other organisations, with about 3 million members.

#### **Abstract:**

This article indicates the importance of a thorough study of local sources on protest action by township residents in Makweteng (earlier known as Potchefstroom’s native location) against oppressive laws and policies in South Africa. Although the term ‘grassroots support’ only became a common one much later in South Africa’s history, the study of local documents indicates the protracted broad swell of dissatisfaction among black South African citizens against legalised segregation and later apartheid. In the case of some individuals and local organisations these views articulated with protests on a national level. This article covers the period 1904 to 1950 and looks at the strenuous efforts by white authorities to dominate this township on a municipal level; the limited influence of the native advisory bodies and localised national organisations in resisting this control; and the singular abilities and contributions of Lazarus R. Muthle and James Z. Mdatyulwa in Potchefstroom’s protests. It also indicates how this protest gradually helped to build the basis for encompassing resistance, including resistance of an intellectual nature, in the 1970s and 1980s.

**Keywords:** Potchefstroom; native location; advisory board; apartheid; protest; Muthle; Mdatyulwa

#### **Opsomming**

Hierdie artikel dui op die belang van ’n grondige studie van plaaslike bronne in verband met protes en weerstand van ’n township (vroeër, Potchefstroomse natuurlike-lokasie) se inwoners teen onderdrukkende wetgewing en behandeling in Suid-Afrika. Alhoewel die term “grassroots support” (voetsoolvlak-steun) eers heelwat later in die Suid-Afrikaanse geskiedenis ’n algemene term geword het; dui die studie van plaaslike dokumente op die uitgerekte en wye golf van ontevredenheid onder swart Suid-Afrikaanse burgers teen wetlike segregasie en later apartheid; en hoe, in die geval van sekere individue en plaaslike organisasies, hierdie sienings geartikuleer het met protes op nasionale vlak. Die artikel dek die enorme pogings van die wit munisipale owerhede om die lokasie te domineer, die uiters beperkte invloed van die natuurlike-adviesrade en ook gelokaliseerde nasionale organisasies om hierdie beheer te weerstaan, die uitsonderlike vermoëns en bydraes van Lazarus R. Muthle en James Z. Mdatyulwa in Potchefstroomse protes en hoe, deur hulle optrede op

plaaslike vlak, en te midde van hul wisselvallige verblyfreg, hierdie protes geleidelik bygedra het tot die onderbou van omvattende weerstand, insluitende dié van 'n intellektuele aard in die 1970s en 1980s.

**Sleutelwoorde:** Potchefstroom; naturelle-lokasie; adviesraad; apartheid; protes; Muthle; Mdatyulwa.