

ANNEX

Report of the Joint Planning Council of the African National
Congress and the South African Indian Congress

8 April 1951 at Thaba'Nchu

To the President-General and Members of the Executive Committee of the African National Congress and the President and Councillors of the South African Indian Congress:

Whereas the African National Congress, at the meeting of its National Executive, held on 17th June 1951, decided to invite all other National Organizations of the non-European people of South Africa to a Conference to place before them a programme of direct action; and whereas a Joint Conference of the National Executives of the African National Congress and the South African Indian Congress and the Representatives of the Franchise Action Council (Cape) met at Johannesburg on the 29th July 1951; and whereas it was resolved at the aforesaid Conference: (1) to declare war on Pass Laws and Stock Limitation, the Group Areas Act, and the Voters' Representation Act; (2) to embark upon an immediate mass campaign for the repeal of these oppressive laws; and, (3) to establish a Joint Planning Council to co-ordinate the efforts of the National Organizations of the African, Indian and Coloured people in this mass campaign:

Now, therefore, the Joint Planning Council, as constituted by the foregoing resolution, have the honour to report to the African National Congress and the South African Indian Congress as follows:

1. We the undersigned, were constituted into a Joint Planning Council in terms of the resolution adopted at the Joint Conference of the executives of the African National Congress and the South African Indian Congress and the representatives of the Franchise Action Council of the Cape, held at Johannesburg on the 29th July 1951. Dr. J.S. Moroka, the President-General of the African National Congress, was elected as the Chairman and of the four remaining members of the Council, two each were nominated by the Executive Organs of the African National Congress and the South African Indian Congress.

2. We are, in terms of the resolution mentioned above, charged with the task of coordinating the efforts of the National Organizations of the African, Indian and the Coloured people in a mass campaign agreed upon at the Joint Conference for the repeal of the Pass Laws, the Group Areas Act, the Separate Representation of Voters' Act, the Suppression of Communism Act, the Bantu Authorities Act, and for the withdrawal of the policy of stock limitation and the so-called rehabilitation scheme.

3. Having given due and serious attention to the task before us, we have great pleasure in recommending the following plan of action to the African National Congress and the South African Indian Congress for consideration and decision at their forthcoming Annual Conferences.

4. The African National Congress in Conference assembled at Bloemfontein on the 15th-17th December 1951, should call upon the Government to repeal the aforementioned Acts by not later than 29th February 1952. This call to be supported by the Conference of the South African Indian Congress and by all other democratic organizations which find themselves in full agreement with it.

5. In the event of the Government failing to take action for the repeal of these Acts which cannot be tolerated by the people any longer, the two Congresses will embark upon mass action for a redress of the just and legitimate grievances of the majority of the South African people. It is our considered opinion that such mass action should commence on the 6th April 1952, the Van Riebeeck Tercentenary. We consider this day to be most appropriate for the commencement of the struggle as it marks one of the greatest turning points in South African history by the advent of European settlers in the country, followed by colonial and imperialist exploitation which has degraded, humiliated and kept in bondage the vast masses of the non-white people. Or, alternatively, on 26th June 1952. We consider this day equally significant as the 6th April for the commencement of the struggle as it also ranks as one of the greatest turning points in South African history. On this day we commemorate the National Day of Protest held on 26th June 1950, the day on which on the call of the President-General of the African National Congress, Dr. J.S. Moroka, this country witnessed the greatest demonstration of fraternal solidarity and unity of purpose on the part of all sections of the non-European people in the national protest against unjust laws. The 26th of June was one of the first steps towards freedom. It is an historical duty that on this day we should pay tribute to the fighting spirit, social responsibility and political understanding of our people; remember the brave sacrifices of the people and pay our homage to all those who had given their very lives in the struggle for freedom. Although we have suggested two alternative dates, the Joint Planning Council strongly favours the earlier date as it considers that three clear calendar months would give the people ample time to set the machinery of struggle into action.

6. With regard to the form of struggle best suited to our conditions we have been constrained to bear in mind the political and economic set-up of our country, the relationship of the rural to the urban population, the development of the trade union movement with particular reference to the disabilities and state of organization of the non-white workers, the economic status of

the various sections of the non-white people and the level of organization of the National Liberatory movements. We are therefore of the opinion that in these given historical conditions the forms of struggle for obtaining the repeal of unjust laws which should be considered are: (a) defiance of unjust laws and (b) industrial action.

7. In dealing with the two forms of struggle mentioned in paragraph 6, we feel it necessary to reiterate the following fundamental principle which is the kernel of our struggle for freedom. We believe that without the realization of this principle, race hatred and bitterness cannot be eliminated and the overwhelming majority of the people cannot find a firm foundation for progress and happiness. It is to be noted, however, that the present campaign of defiance of unjust laws is only directed for the purposes of securing the repeal of those unjust laws mentioned in the resolution of the Joint Conference. All people, irrespective of the national groups they may belong to and irrespective of the colour of their skin, are entitled to live a full and free life on the basis of the fullest equality. Full democratic rights with a direct say in the affairs of the Government are the inalienable right of every man - a right which in South Africa must be realized now if the country is to be saved from social chaos and tyranny and from the evils arising out of the existing denial of franchise to vast masses of the population on grounds of race and colour. The struggle which the National Organizations of the non-European people are conducting is not directed against any race or national group, but against the unjust laws which keep in perpetual subjection and misery vast sections of the population. It is for the creation of conditions which will restore human dignity, equality and freedom to every South African.

8. Plan of action. We recommend that the struggle for securing the repeal of unjust laws be DEFIANCE OF UNJUST LAWS based on non-cooperation. Defiance of unjust laws should take the form of committing breaches of certain selected laws and regulations which are undemocratic, unjust, racially discriminatory and repugnant to the natural rights of man. Defiance of Unjust Laws should be planned in three stages - altogether the timing would depend, to a large extent, on the progress, development and the outcome of the previous stage.

Three stages of Defiance of Unjust Laws: (a) First stage. Commencement of the struggle by calling upon the selected and trained persons to go into action in the big centres, e.g. Johannesburg, Cape Town, Bloemfontein, Port Elizabeth and Durban. (b) Second stage. Number of volunteer corps to be increased as well as the number of centres of operation. (c) Third stage. This is the stage of mass action during which, as far as possible, the struggle should broaden out on a country-wide scale and assume a general mass character. For its success preparations on a mass scale to cover the people both in the urban and rural areas would be necessary.

9. Joint Planning Council. In order to prosecute and put into effect the plan of Defiance of Unjust Laws and in order to coordinate the efforts of the various national groups, as well as of the various centres both urban and rural, it will be necessary for the Planning Council from time to time to make recommendations to the Executive Committees of the National Organizations which will jointly conduct, prosecute, direct and coordinate the campaign of defiance of unjust laws as agreed upon by the Conference of the African National Congress and supported by the Conference of the South African Indian Congress. The Council must be empowered - (a) to coopt members of the Council and fill vacancies with the approval of the Executive organs of the African National Congress and the South African Indian Congress; (b) to invite representatives from non-European organizations which are in full agreement with, and active participants in, the campaign, to serve as non-voting members of the Council; (c) to frame rules and regulations for the guidance of the campaign, for approval by the non-Europeans; (d) to set up provincial regional and/or local councils within the framework of the existing organizations; (e) to issue instructions for the organization of volunteer corps and frame the necessary code of discipline for these volunteers.

10. The Joint Executives shall establish Provincial, Regional or where possible Local Councils which will have the primary task of organizing and enrolling volunteers into volunteer corps on the following lines: (a) A leader to be in charge of each volunteer corp for maintenance of order and discipline in terms of the 'code of discipline' and for leading the corp into action when called upon to do so; (b) Corps to consist of members of both sexes; (c) The colours of the African National Congress - black, green and gold - shall be the emblem of the Volunteer Corps; (d) Each unit of the Volunteer Corps shall consist of members of the organization to which they belong, i.e. ANC, SAIC, and FAC. The Coloured organizations in the provinces of Natal, Orange Free State and the Transvaal participating in the campaign with the approval of the Joint Planning and Directing Council shall also be allowed to form units of the Volunteer Corps; (e) In certain cases where a law or regulation to be defied applies commonly to all groups, a mixed unit may be allowed to be formed of members of various organizations participating in the campaign.

11. Laws to be tackled. In recommending laws and regulations which should be tackled we have borne in mind the Laws which were most obnoxious and which are capable of being defied.

1. The African National Congress. In so far as the African National Congress is concerned, the laws which stand out for attack are naturally the Pass Laws, and Regulations relating to Stock limitation.

Method of struggle on the Pass Laws. (a) A Unit of the Volunteer Corps should be called upon to defy a certain aspect of the pass law, e.g. enter

a location without a permit. The Unit chosen goes into action on the appointed day, enters the location and holds a meeting. If confronted by the authorities, the leader and all the members of the Unit court arrest and bear the penalty of imprisonment; (b) Selected leaders to declare that they will not carry any form of passes including the Exemption Pass and thus be prepared to bear the penalty of the law; (c) Other forms of struggle on the Pass Laws can also be undertaken depending on the conditions in the different areas throughout the country.

Rural Action. Whilst the Volunteers go into action on the Pass Laws in the Urban Areas, the people in the rural areas should be mobilized to resist the culling of the cattle and stock limitation: (a) Stock limitation: People in the rural areas to be asked not to cooperate with the authorities in any way in culling cattle or limiting livestock; (b) Meetings and demonstrations to be held; (c) Regional Conferences: Such conferences in the rural areas should be called to discuss the problems of the people and to decide on the most suitable form of Defiance of Unjust Laws in the area.

2. The South African Indian Congress. In so far as appropriate action by the South African Indian Congress is concerned the conditions and effects of the laws vary in the three provinces, but we submit the following for the consideration of the South African Indian Congress: (a) Provincial Barriers; (b) Apartheid Laws such as train, post office, railway stations, etc.; (c) Group Areas Act - if and when possible.
3. The Franchise Action Council. (a) General Apartheid segregation in post offices, railway stations, trains, etc.; (b) Group Areas Act - if and when possible. Both (a) and (b) will apply to the Coloured people in the other provinces as well. In the Cape a strong possibility exists of having mixed units rather than having separate national organization units.

12. The Population Registration Act. During the conduct of the campaign it should not be forgotten that the Government is preparing the machinery for the enforcement of the Population Registration Act. This Act is repugnant to all sections of the people and the campaign must pay particular attention to the preparing of the volunteers and instructing the masses of the people to resist the enforcement of this Act. The campaign on this Act may well take the struggle from stage one and two into stage three of mass action.

13. We cannot fail to recognize that industrial action is second to none, the best and most important weapon in the struggle of the people for the repeal of the unjust laws and that it is inevitable that this method of struggle has to be undertaken at one time or another during the course of a struggle. We also note that, in the present-day South African conditions, the one-day protests on May 1st and June 26th, 1950, and the one-day protest

in the Cape on May 7th, 1951, against the Separate Representation of Voters' Bill, demonstrated the preparedness of the people to undertake this form of struggle with no mean success. We are nevertheless of the opinion that in this next phase of our campaign lawful industrial action should not be resorted to immediately, but it should be resorted to at a later stage in the struggle. In this new phase of the campaign a sustained form of mass action will be necessary which will gradually embrace larger groups of people, permeate both the urban and the rural areas and make possible for us to organize, discipline and lead the people in a planned manner. And, therefore, contrary to feelings in some quarters, we are not keen to advocate industrial action as the first step, but only as a later step in the Campaign against Unjust Laws. It should be noted, however, that our recommendations do not preclude the use of lawful industrial action during the first stage, provided that conditions make its use possible on a local, regional, provincial or national scale.

14. It is apparent that the plan of action herein outlined cannot be put into effect without the necessary funds to back it. It is also apparent that no body of men can sit down and work out a budget estimate for such a vast national undertaking. Suffice it to say that a full-scale campaign will require thousands of pounds. Conscious of this essential requirement we recommend with some confidence that if the African National Congress and the South African Indian Congress undertake to launch a One Million Shilling Drive it can sustain the campaign. The Drive should be conducted under the slogan: 'One Million Shillings by the end of March 1952' for Freedom.

15. National Pledge. The Council is strongly of the opinion that an inspired National Pledge should be issued which could be read out at public, factory and group meetings and repeated by all those present. A special day - e.g. April 6th - should be set aside so that special meetings are called everywhere, in town, villages and hamlets, in factories and locations, and special church services be held on this day where the National Pledge could be publicly read out. This day or any other day which the Conference of the African National Congress sets aside for the purpose should be called 'The National Day of Pledge and Prayer.'

(Sgd.) J.S. Moroka (Chairman)
Y.M. Dadoo, Y. Cachalia (Representatives of the South African Indian Congress)
J.B. Marks, W.M. Sisulu (Representatives of the African National Congress)