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SOUTH AFRICAN NATIONAL CONVENTION  
MOVEMENT.

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cape  
provincial  
consultative  
conference

discussion papers  
part one

by

Peter Brown

and

Professor Z. K. Matthews

CAPE TOWN.

14th  
October  
1961

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A REPORT ON THE NATAL CONVENTION HELD IN PIETERMARITZBURG

APRIL 17TH - 19TH, 1961.

(BY: PETER BROWN ESQ.)

ORIGINS:

The idea of calling a Natal Convention was first mooted at a public meeting held in the Pietermaritzburg City Hall on November 1st last year.

At the referendum, a month previously, Dr. Verwoed had obtained the necessary majority to convert South Africa to a republic. Natal had recorded an overwhelmingly anti-republican vote and there was great agitation in the province at the prospect of the termination of South Africa's formal ties with Britain. The pre-referendum anti-republican campaign in Natal was characterised by the calls to "march again", which later turned out to be so insubstantial, and by the emergence of the Torch Commando-type organisation, the "horticulturalist". The aim of the organisation were fairly modest . . . . to support anti-republican meetings and ensure a hearing for speakers in hostile areas, and to make sure that there was a maximum anti-republican vote on referendum day. In this I think it succeeded. Its trouble was that its campaign, like so many other South African campaigns that have failed in the past, was an all-white affair. Its other trouble was that most of the people most closely identified with the anti-republican campaign in Natal were concerned more with the purely constitutional nature of the change which would take place than they were with the kind of republic we were likely to get.

The motive of those who sponsored the initial Natal Convention meeting at the beginning of November was to try to lead the very strong anti-republican and anti-Nationalist feelings in Natal into more positive channels. They saw an opportunity to get a new body of people to accept the idea that if they were opposed to the republic, they had to be opposed to it for good reason. They hoped to persuade a body of Natal opinion that South Africa's race problems were much more important than any constitutional change and to get this body of opinion committed to working for a common, non-racial, South African society, republic or no republic.

The inspiration for the November meeting originated in the Liberal Party. The original idea was to get as widely representative a platform as possible, but this did not prove possible. The sponsors then had to decide whether to go a head with a partially-representative group of speakers, or to have an all Liberal Party platform. Either was a risk. If they had a partially-representative platform those who were excluded might refuse to come in later, if they had a purely Liberal Party platform the whole Convention idea might be written off as a Liberal Party stunt before anything had been achieved at all. In the end the three speakers were all Liberal Party members but a number of people of widely differing interests were persuaded to come to the meeting and to speak from the floor. No attempt was made to use the platform for party political purposes. Speeches were aimed at setting a positive anti-apartheid line and emphasizing that there was no point in people in Natal bewailing the end of the British connection unless they were prepared, in Natal, to stand up for the principles of Liberal non-racialism for which Britain had come to stand. The second point which was stressed was that it was for the meeting itself to decide whether it approved the "convention idea" and, if it did, to elect a committee from those present to see that it took place.

The gamble of launching the idea of the Convention at a meeting at which the speakers were all members of the same organisation might easily have failed, but it did not. After the main speeches there were a number of contributions from the floor, from a wide variety of people, and everyone who spoke wanted a National Convention.



Nominations for the committee were then called for and ten names were proposed. They included leading members of the four main communities. Dr. Edgar Brookes was elected convenor and he subsequently became chairman of the Committee. Within ten days of the inaugural meeting the committee had met, co-opted to itself additional members and set about organising a Natal Convention.

#### PRELIMINARY WORK.

I was not a member of the Convention Committee in its early days and was only asked to join it shortly before the Convention met, so I must report on its preliminary work at second hand.

Soon after it met the Committee decided that it should collect whatever information was available on the Rhodesian "indaba". It sent for copies of its report and co-opted on to the Committee Dr. J. F. Holleman of Durban, who had attended the "indaba" as an observer. After considering the report and hearing Dr. Holleman's views it was decided that the pattern established in Rhodesia should, as far as possible, be followed in Natal. The final programme and arrangements will be discussed in some detail in the next section of this paper.

What should the theme of the Convention be? It was decided that it should be "Sharing the Future: Natal Takes Stock".

Where should the Convention take place? It was decided fairly early on that it should be held in Pietermaritzburg and, at one stage, it was felt that the City Hall would be the most appropriate place to hold it. Finally, however, it was decided to try to obtain the use of the University. The approach was successful and in fact, from every point of view, there could not have been a better setting for the Convention. Once the University had been chosen the timing of Convention was more or less set. It would have to be in a vacation. Easter was the earliest time by which the preliminary arrangements could be completed.

Apart from deciding how the Convention was to be run, and where and when it would take place, the other important tasks which faced the committee was that of deciding who should be invited. Every committee member submitted names of organisations, and in some cases of individuals, that they thought should be invited and eventually almost every organisation of any importance in Natal was sent an invitation. Each organisation was entitled to send three participants and each of these would have full debating and voting rights. The only exception was made in the case of political parties, who were allowed to send three representatives, who could say as much as they liked, but who were not allowed to vote. The reason for this restriction was that the committee wished all participants to come to the Convention with their minds open, not with any pre-conceived ideas on how they would vote on any particular question.

Every local authority in Natal was invited, as were all the churches. Other invitations went to sporting and cultural societies, women's organisations, employers' and employees' organisations, teachers' societies, political organisations, ratepayers associations, advisory boards and so on. Response to the invitations was slow at first and at one time, early in the year, the committee was so depressed that I understand it nearly threw in the sponge and gave the whole thing up. However, it decided to go on and, as the day of the Convention drew near, the response to the invitations began to snowball. In the end nearly 70 organisations sent representatives and over 220 people participated.

#### ORGANISATION.

The proceedings of the Convention centred on three "fact papers". These dealt respectively with the social, economic and political



implications of "sharing the future". Each had been prepared by an expert in his field from the staff of Natal University. The fact papers had been sent to all participants a week before, the Convention met. They had also been studied together by the President of the Convention, Dr. Brookes, the group chairman and rapporteurs (whose functions will be described later) and the important points from the papers, which should be discussed by the Convention and decided upon by it, had been tabulated.

The real business of the Convention commenced with the registration of participants at 8.30. a.m. on the morning of Monday, April 17th. After registration the Convention Chairman, Arch Bishop Dennis Hurley, took the Chair at a public plenary Session and the President, Dr. Edgar Brookes, gave a short opening address. He stressed "This is not a Natal stand. It is a Natal stock-taking". He emphasized that the theme of the Convention was sharing the future and that all past "Natal stand" had failed because they had not grown out of "consultation and mutual trust between all the people and races of Natal".

After the President's opening address the three fact papers were presented to the public session in turn by their authors. Half an hour was allowed for the presentation of each paper and a short period after each was set aside for questions from the floor. Questions were only allowed on matters of fact and no discussion on the contents of the papers was permitted at this stage. There were three separate chairmen during the reading of the fact papers, one presiding at the presentation of each paper, and each chairman was a leading member of a different section of the Natal community.

Presentation of the fact papers took up the whole of Monday morning. At lunchtime the public, plenary session ended and, when participants came together in the afternoon, it was in six small, separate groups, each meeting in its own room. The president had been responsible for allocating participants to these groups and he tried, as far as was possible, to have representation in each group a cross-section of opinion. Each group had a chairman who presided over all its meetings. The groups met for two sessions on Monday afternoon, for three on Tuesday morning, for a final session on Tuesday afternoon. Each session lasted for approximately an hour and a half and two sessions were spent by each group in discussing each of the fact papers. So, while two groups were discussing the Economic paper, two other would be discussing the Political paper and the other two the Social Paper. The reason for these arrangement was to allow members to meet in a group whose size would make it easy for everyone to play a part in the discussion and, secondly, to enable the organizers to get an accurate picture of the general view of participants on the questions under discussion. This last was managed by appointing six rapporteurs, two responsible for sitting in on the discussions on each paper. So, while A and B group were discussing the Economic paper, a rapporteur would be sitting in with them, minuting the conclusions they reached and the differences of opinion which emerged. At the end of the discussion he would read back his notes to the group to ensure that his record was accurate. In the meantime C and D groups were discussing the Political paper and E and F the Social paper and the rapporteurs for these two papers were sitting in with them. When C and D groups met to discuss the Economic paper, the two rapporteurs who had sat in with A and B groups now sat in with them again, when E and F came to discuss the Economic paper, the same two rapporteurs joined them. At the end of the group meetings you therefore had two people each of whom had sat in on the minuted three separate discussions on each paper. The group Chairman was with the group the whole time. It was his job to see that the important points in each paper thoroughly discussed.



After each group had discussed each paper the two rapporteurs covering each paper met and drew up a joint report on the conclusions reached by the convention as a whole. The President, group chairmen and rapporteurs then met and drafted these findings into a preliminary report. This was completed, typed and duplicated on Tuesday night. The following morning the draft report was handed out to the participants and they were given an hour and a half in which to study it privately. Then they met in their groups again and went through the report paragraph by paragraph, commenting and amending. The report had been drawn up under the Economic, Social and Political headings and again the same rapporteurs sat in on the discussions. There was then a final meeting between the rapporteurs and the President and the final Convention report was drafted, taking into account all points which had arisen in the discussion of the draft.

While the drafting committee was doing this job the groups met again, less formally, to try to find ways and means of carrying into the private lives of participants and into the organisations they represented, the recommendations of the Convention. Out of these discussions came a series of practical suggestions for breaking the colour bar, none of them very spectacular but each of them worth trying.

After tea on Wednesday afternoon the Convention met in final, public session. It was a most moving occasion. The Great Hall of the University was packed to capacity. The report was read in full by the Chairman, Archbishop Hurley, and its adoption was moved by him. Three speakers supported the adoption of the report from the platform — one African, one Indian and one Coloured. There was no discussion of the report from the floor. The Chairman presented it to the participants and they could either vote for it or against it. Not a single vote was cast against it.

#### THE REPORT:

What did this report contain? Considering the fairly widely representative nature of the Convention it contained a lot that was surprisingly radical. The substance of its main findings was as follows:-

#### POLITICAL:

The Convention unanimously agreed that there must be an immediate extension of Parliamentary, provincial and municipal franchise on the common roll to all races. There was general agreement on universal suffrage as the ultimate aim but disagreement of the question of whether it should be introduced immediately or reached by stages based on qualifications.

The Convention was unanimous in wishing to see a Bill of Human Rights rigidly entrenched in the constitution.

#### SOCIAL:

The convention considered that state policy should be directed to the systematic removal of race discrimination.

An intergrated school system was accepted as the ideal although there was disagreement on whether it should be introduced immediately or gradually at school level. It was unanimously agreed that racial barriers to university entrance must be removed at once, that the Bantu Education system must be scrapped immediately and that education system must be free, equal and compulsory for all children.



The Group Areas Act should be abolished and, with it, all other restrictions on the ownership and occupation of land, except where these might be necessary, as an interim measure, to protect African interest in the "reserves".

Segregation in entertainments, public facilities and those placed of public worship which still practise it, should end.

Influx control, the pass laws and laws restricting the free movement of Indian people should go.

#### ECONOMIC:

The Convention recommend the immediate abolition of the industrial colour bar and job reservation. It described the effects of these restrictions as "wholly bad, not only morally but also form the point of view of the economy of the country".

Trade Unions should be open to all. Workmen's Compensation, Industrial conciliation, unemployment insurance and apprenticeship systems should apply equally to all South Africans.

There should be no discrimination in wage rates and all wages should, as a matter of urgency, be raised above the poverty datum line.

Every South African should be free to buy land and live where he chooses. Home ownership should be promoted and the migratory system of labour brought to a speedy end.

The final instruction of the Convention, and the reason why I am here to-day, was to its Continuation Committee to "assist in bringing into existence machinery for calling the all-South African Convention.

#### Questionnaire:

During the course of the Convention a questionnaire was circulated amongst delegates to try to establish their feelings on key questions. Apart from the franchise, on which there was a roughly fifty-fifty split on whether universal franchise should be introduced immediately or not, the findings of the questionnaire bore out very largely, the findings I have listed above.

#### FOLLOW UP:

Since the Convention met the Continuation Committee has circulated its report as widely as possible and has also followed up its findings by writing to local authorities, the Provincial Council and organisations represented at the Convention in an effort to have its recommendations adopted. This campaign has met with limited success.

#### CONCLUSION:

Was the Natal Convention worthwhile? I am quite certain that the answer to this question is Yes! There are a number of reasons why I am sure that it was worthwhile but there are two particular reasons which I will touch briefly.

The first success of the Convention's success was the effect it had on the people who attended it. For the first time many people met people of other groups who stated their hopes and fears and aspirations openly and uninhibitedly. The meeting shattered their stereotyped picture of what people of other social, religious and economic groups were like. They found out that the "boss" or the trade unionist was not the ogre they had always thought him to be



but a person with his own problems and with a real concern over the greatest problem of them all -- how to create a shared non-racial society in South Africa. This shattering of stereotypes is an experience from which a person does not recover. Once the myths have been dispersed a man will not subscribe to them again--and he becomes a new recruit to the growing army of South African non-racialists.

The second important immediate result of the Convention was the revelation it gave of the quite startling amount of common ground which exist between anti-Nationalists in South Africa, to-day.

It is this that we must build upon. It was this which made the participants in the Natal Convention insist that the Convention Committee remain in office and work for the kind of National gathering which has been in the minds of the organisers at this meeting for nearly a year now. It is this which persuaded that committee of the vital importance of its being represented here to-day.

We in Natal want this National gathering to take place and we want it to be as representative as possible. Calls for a National have come from a variety of political organisations and from the Pietermaritzburg African conference. There are three committees working towards a convention at present. Your own committee here in Cape Town, our committee in Natal and a potentially strong and widely representative committee in Johannesburg. If the National Convention idea is to get anywhere at all then at least these bodies must pull together, not only to see that the Convention takes place but to see that, when it does, it is as representative as possible.

One last thought. What will come out of this gathering and is it really worth having it? Again my answer is an emphatic yes. I would have 3 hopes for the convention.

My first hope would be a very modest one. It would simply be that the gathering took place .... because I am sure that the mere fact that a convention meets, whatever conclusions it might arrive at, will have the same stereotype shattering effect which the Natal convention had and give a very necessary stimulus to opponents of apartheid.

Secondly, I would like to see agreement on how the new kind of society we want to see take over when Dr. Verwoed goes. It might not be possible to get detailed agreement but even agreement on general principles would be a worthwhile gain.

Thirdly, I would like to see agreement on how the new society we want is to be brought into being.

I realise that this last is a most complex and different question on which to find agreement and that it might prove impossible to do so. Nevertheless, I think it would be worth the try. If we could agree only on the kind of society we want I would be reasonably satisfied. But even if we held the convention and agreed to differ on these two questions I would still not be disappointed. I believe that the mere fact of coming together over several days would have the inevitable and highly-desirable effect of swelling the ranks of the growing body of non-racial South Africans...and the larger that body of opinion the sooner the end of apartheid.

9th October, 1961.

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## THE PROPOSED SOUTH AFRICAN NATIONAL CONVENTION

(BY PROFESSOR Z. K. MATTHEWS)

The Union of South Africa was planned at a National Convention in which four Colonial governments which existed here prior to Union were represented. Ever since the time of Sir George Grey it had been felt that no permanent peace could be established in South Africa while there existed a multiplicity of puny political entities - Boer Republics and British Colonies - all striving to maintain a precarious independent existence. Two so-called wars of independence between Boer and British were fought before it was finally decided that a National Convention should be summoned at which the possibility of unification might be discussed and a Constitution drawn up for a new State.

The idea of unification was a laudable one, but of course there are National Conventions and National Convention. The pre-Union National Convention had certain characteristics about it, which made it neither national nor representative. Although it met to create a political structure for the United South Africa, the vast majority of the population the non-white population - was not accorded any share in it. It might of course be argued that the non-whites of the Cape were indirectly represented in so far as the Cape delegates came from a territory where members of Parliament were elected on the basis of a voter's roll open to both black and white. This applied to a much lesser extent to the non-whites of Natal. But even this was representative by proxy. It does not substantially affect the argument that the Convention of 1908 was a white, not a South African Convention.

But although the non-whites were not represented at the 1908 National Convention, the non-white apparition, like the ghost of Banquo, repeatedly made its appearance before the distinguished delegates. The Convention nearly suffered shipwreck on the question of franchise rights for non-whites in the new State. This one-sided gathering eventually decided upon a constitution for South Africa in which the political rights of those not directly represented at the Convention were placed at the mercy of a white Parliament under so-called "entrenched" clauses to be destroyed later as the "dead hand of the past". The non-white leaders of the day protested against this betrayal both in this country and by means of a deputation which went to the United Kingdom when the South African Act was being piloted through the British Parliament. Their protests were not heeded and on May 31st, 1910, the Union of South Africa Launched on its doubtful career.

The subsequent history of the Union amply demonstrated the unwisdom of a multi-racial society depending upon a constitution drawn up by one section of the population. Side by side with the widening of rights and fundamental freedoms for the group which drew up the constitution has gone the whittling down of the meagre privileges of the non-white groups until we have reached the position where the whites, without turning a hair, talk about the Union Parliament as the exclusive monopoly of the white section of the population. All pretence has been cast aside. In fact anyone who suggest the desirability of some form of direct representation for any section of the non-whites in the Union Parliament is regarded as an enemy of Western-civilization and of the white men who might possibly to be charged for treason

And what has been the result of this white monopoly of political power? Has it brought about better relations between white and non-whites? Has it stimulated peace and harmony between white and non-white? Has it represented in the country? Has it set out political structure on a sure and stable foundation? Has it made more friends for us in the international sphere? Anyone who answers these questions in the affirmative is either a fool or a knave.



The ever mounting pile of discriminatory and destructive legislation, the declaration of states of emergency and the sending of armies of occupation into supposedly happy Bantustans during peace time, our virtual expulsion from the Commonwealth, the mounting hostility against South Africa at the United Nations and elsewhere - these are not matters which are consistent with the utopia which in some quarters is supposed to exist in South Africa.

It is suggested that the dissatisfaction with the status quo which gives rise to disquieting disturbances in different parts of the country from time to time is the work of a few "agitators" and "communists". We have reached a state of affairs in which these terms of abuse are applied to everyone who on any ground whatsoever is opposed to any government scheme. Honest differences of opinion about matters of public importance have become anathema to our rulers and the communist big stick is wielded freely to silence all legitimate criticism. Although this line of attack does succeed in fooling some people of the time, it will not fool all the people all the time.

Hence in spite of arrests and detentions, deportations and bannings, political vituperation and abuse and other forms of intimidation, the cry for a New National Convention to draw up a new constitution for South Africa is being heard more frequently and more insistently in different quarters among groups with varying political views. This cry is not a cheap political debating point but arises out of the hunger of millions of ordinary people - South African - for a political structure in which all have a stake and of which they can be justly proud. Such a political structure can only emerge from a National Convention in which all sections of the population are directly and adequately represented, in which the delegates will be imbued not with the primitive idea of exclusive privileges for the group they represent, but with the spirit of what each group can contribute of the common Welfare, of what each can give to rather than what each can get out of our common fatherland.

Such a Convention could turn South Africa from being the embarrassment that it is wherever civilized people foregather, - the pole cat of the modern world as it has been described - into a country which can take the lead, as it ought to, among the independent states of Africa. Whether South Africa is a Republic or not, whether she is within the Commonwealth or out of it, the challenge of a genuine representative all-in-Convention to draw up a truly South African constitution remains and the future of the country depends upon her response to that challenge.

Having regard to what has happened in South Africa since 1910 and more particularly within the last fifteen years, the question may be asked as to whether it is still possible for the different sections of the population to meet together for any constructive task, whether the cleavage which has been deliberately fostered between the different sections has not become too wide to be bridged, whether domination of one group by another is not the only language which the people of South Africa can understand. The hour is indeed very late but I feel sure that the non-whites are still prepared and ready to co-operate with their white fellow-citizens in creating and building up a South Africa in which the legitimate rights of all sections of the population are adequately and effectively protected, on condition that they are given an effective share in that creative process. The question is whether the whites of South Africa can rise to the occasion and refrain from spurning the hand of friendship while it remains outstretched, thus redeeming the time for the days of evil. This is the opportunity which properly used can lead to a South Africa which can be the envy of all instead of being the whipping boy of the world.

All over the continent of Africa constitution-making is in progress and in countries which cannot be said to be better prepared for the process that all the peoples of South Africa, the groups represented there are together, on a basis of equality, trying to hammer out political structures consonant with the spirit of freedom for all which



IS abroad in mid-twentieth century. Why should South Africa alone of all the states in Africa remain a kind of anachronistic stick-in-the-mud?

One of the most important questions connected with the holding of a National Convention is that of the people who should attend such Convention in order to make it the genuine voice of South Africa. It would obviously be impossible for all the people of South Africa to attend, however desirable that might be from the point of view democracy. All we can hope for is that the Convention should be representative of all the people of South Africa. We have already had experience of two constitution making events of cardinal importance which were the work of only one section of the population. I refer to the so-called National Convention of 1908 and to the so-called National Referendum of 1960. In both cases the vast majority of the population—the non-whites who were also vitally affected by the decisions taken there were deliberately excluded from the process. It would be possible to go to the other extreme and work for a National Convention of non-whites only that would be equally futile, even if it were possible for the non-whites to impose their decisions on the whites. It might even be suggested that the different groups represented here should initially hold separate conventions in which each group could work out the kind of South African constitution which they envisage. That would have the effect of stereotyping the kind of group thinking which has been the bane of our existence up to the present. The kind of National Convention which in my opinion will alone produce lasting results is one in which all sections of the population will be directly represented, and in which all sections will work together to achieve a new constitution not for a white nation or a black nation but for a united Nation

Then one would hope that the Convention would be representative not of sections of the population, but all shades of current political opinion. A study of the South African political scene shows that we have with us devotees of a wide range of political persuasions—separatists intergrationists, liberals, progressives, conservatives, africanists, Pan-africanists, white nationalists, black nationalists, believers in universal franchise and believers in qualified franchise each group believing that its programme and policies will be able to bring about the salvation of South Africa. The Convention ought to be open to all either on an individual or on an organisational basis, so that what emerges from its deliberations should be the result of the mutual exchange and possible accomodation of points of view of the delegates present. In particular no one should be excluded from the Convention on the ground of his race or colour or creed or sex. Possibly the only persons who might be excluded or who will exclude themselves automatically are those who do not believe in the possibility of establishing a non-racial democracy in South Africa,

If the decisions of a National Convention are to be given effect to, they will have to be taken at a sovereign National Convention, with the government of the day committed to implementing its recommendations. The calling of such a sovereign National Convention is not yet practical politics because the present government probably fears nothing more than it dreads the coming together of representatives of all the groups represented in the country. The calling of the sovereign national convention will therefore have to be preceded by a non-sovereign national convention or a conference at which the idea of the drawing up of a new constitution for a new South Africa might be discussed and adopted and ways and means devised for the achievement of the ultimate objective.

In order to promote and co-ordinate efforts for the achievement of the ultimate objective, a Convention Committee representative of all sections of the population will have to be set up. It would be left to the Convention Committee to work out details such as the number of delegates to represent the various groups and the different geographical regions, the topics to be discussed, the matters to be included to the Bill of Rights to be enshrined in the comstitution - in short the



of the agenda to be deliberated upon in establishing a non-racial democracy in South Africa and the steps that would have to be taken to bring pressure upon the Government of the day to convene a sovereign National Convention. It goes without saying that it will not be easy to persuade the South African public which for generations has been conditioned to accepting racial discrimination and baaskap as a way of life to believe that a different way of life is not only possible but imperative if the country is to face the future with confidence. The task of the Convention Committee will involve nothing less than the re-education of a whole nation, with the white electorate in the main constituting the backward section of the class.

But the task is not an entirely hopeless one. There is wide spread dissatisfaction with things as they are in South Africa where the present constitution does not safeguard the legitimate interests of all sections of the population. The number is steadily increasing of those who are raising their voices against the status quo and are demanding action to rectify the situation. The banning of the Coloured Convention is in itself proof that even in official quarters it is recognised that the National Convention idea is gaining ground in the country. Those who believe in a United South Africa free from the blight of racist constitution have no alternative but to work until the call for a sovereign National Convention to draw up a new constitution becomes irresistible.

PUBLISHED BY PROFESSOR Z. K. MATTHEWS.

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