THE PROPOSED SOUTH AFRICAN NATIONAL CONVENTION

The Union of South Africa was planned at a National Convention in which the four Colonial governments, which existed prior to Union, were represented. For once the time of the Great Grey it had been felt that no permanent peace could be established in Southern Africa while there existed a multiplicity of many political entities – Boer Republics and British Colonies – all struggling to maintain a precarious independent existence. Two parallel wars of independence between Boer and Briton was fought before it was finally decided that a National Convention should be convened at which the possibility of Union might be discussed and a Constitution drawn up for a new State.

The idea of Union was a laudable one, but of course there are national conventions and national conventions. 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 a united South Africa, the vast majority of the population — the non-white population — was not accorded any share in it. It might be agreed that the non-whites of the Cape were entirely represented so far as the Cape delegates came from a territory whose members of Parliament were elected on the basis of a colour roll open to both black and white. This applied to a much lesser extent to the non-white of Natal. But even this was representation by proxy. It does not 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 opposition, like the ghost of Benegas, repeatedly made its appearance before its distinguished delegates. The Convention nearly suffocated shipwreck on the question
of franchise right for non-white 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 the country and by means of a deputation which went to the United Kingdom when the South Africa Act was being faster piloted through the British Parliament. These protests were not heeded and on May 31, 1910 the Union of South Africa was launched on its doubtful career.

The subsequent history of the Union has 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 good which drew up the Constitution has gone the witting 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. It is now quite open to 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 man who might possibly 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-white? Has it stimulated peace and harmony.
between the different racial groups represented in the country. Has it set up political groups on a stable and secure 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 unwavering pile of discriminatory and restrictive legislation, the declaration of states of emergency and the readjustment of years of occupation into supposedly happy conditions during peace-time, our internal expulsion from the Commonwealth, the mounting hostility against South Africa at the United Nations and elsewhere—these are facts 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 disturbing 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 flattering some of the people some of the time, it will not fool all the people all the time.
Hence in spite of arrests and detentions, deportations and
bannings, political imprisonment and abuse and other forms of
intimidation, the cry for a new National Convention to draw
up a new constitution 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 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 with the primitive idea of exclusive privileges
for the group they represent, but with the spirit of what
each group can contribute to 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 - into a country which can take the lead
as it might to among the independent states of Africa, whether
South Africa is a Republic or not - whether she is
in or the Commonwealth or out of it - in the challenge of a genuine
representative nation Convention to draw up a truly
South African constitution and the future of the country
defeats upon her response to this 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 bare 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 voice in that creative process. The question is whether the white 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 are 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 than all the peoples of South Africa, the groups represented there are together on a basis of equality. Trying to hammer out pluralist structures emasculated 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 stock-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 a 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 end. Democrats might be, from the point of view of 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 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 vitally affected by the decisions taken 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 the non-whites could 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 simply have 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 for a white nation or a black nation but for a united Nation.

Then one would hope that the convention would be representative not only of all sections of the population, but of 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 – republicans, integrationists, liberals, progressives, conservatives, Afrikaners, non-Afrikaners, whites in moulded factories and workers in the so-called 'native' and black nationalism. Each group believes that its programme and policies will be able to bring about the solution 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 the deliberations of the convention should be the result of their mutual exchange of thought and accommodation of points of view of the delegates present. In particular, no one shall be excluded from the convention on the ground of his race or colour, creed or sex. Possibly the only persons who might be excluded or who will themselves be automatically excluded 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
It went to adj. to the Convention Committee to work out details of the number of delegates to represent the various States of the different geographical regions, the number of the several States to be included in the blue ribbon or national convention. The whole of the agenda to be advising the Constitution in the making of the Constitution.