

[Nov. 1947]

^{events connected with the}
A Chronological Account of the Dispute between the Government and the Native Representative Council. (With Annexures).

1. On August 15, 1946 the Native Representative Council ~~agreed~~ decided to suspend its operation indefinitely until the Government should undertake to abandon its policy of discrimination against the African and revise its native policy in such a way to accord the African people more adequate protection of their rights in the land of their birth. The actual terms of the adjournment resolution were as follows: — are to be found in ~~Annexure A.~~ Annexure H.

2. During the same month ^{Councillor} Prof Z. K. Matthews, representing the rural areas of the Cape Province (excluding the Transkei) in his capacity as Chairman of the Caucus of the African members of the Council, issued a statement to the Press ^{in which he dealt} ~~emphasizing the~~ reasons ^{in general} which led to the with the relations between the Government and the Council, and in particular with the ^{causes both proximate and otherwise} reasons which led up to the adjournment. (See Annexure B)

3. In October, of 1946. The Chairman of the Caucus convened a special meeting of Councillors which met at Bloemfontein to discuss the situation arising out of the adjournment and to decide on the ~~step~~ line of action to be taken by the members at the next session of the Council. Although the members of the Council did not all manage to attend, those present proceeded with the business of the meeting as indicated in the minutes which were afterwards circulated to the members. (See Annexure C).

4. At the ^{same} time ^{that} the Councillors met in Bloemfontein ~~there~~ ^{was} an Emergency Conference convened by D. A. B. Xuma, President-General of the African National Congress attended by over 4000 delegates was in session. The ^{Chairman} ~~Chairman~~ of the Caucus ^{Secretary} ~~was~~ ^{were} permitted to address this conference on behalf of the Councillors in

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 Among other things it was agreed that the Secretary of the Caucus should send in a notice of motion calling upon the Government to reply to the adjournment resolution. The terms of this resolution are contained in Annexure B a

For articles concerning this conference see Annexure D.

connection with the adjournment of the Council. That Conference after at the end of its deliberations passed a resolution in which it endorsed the action of the Councillors in adjourning indefinitely, advising directed the Councillors to attend any further meeting of the Council convened by the Government for the purpose of ~~being~~ receiving the Government's reply to the ~~Government~~ adjournment resolution & taking appropriate action thereon and called upon the African people to ^{embark upon a} бойкот of all elections under the Native Representation Act of 1936. (On the actual terms of the Emergency Conference resolution see Annexure E.)

5. In November 1946 the Councillors assembled in Pretoria to hear the Acting Prime Minister, the Rt Hon J. H. Hofmeyr, M.P give the Government's reply to the adjournment resolution. His address will be found in Annexure F.
6. At the conclusion of his address the Council adjourned ^{to consider} its reply (See Annexure G.).
7. Upon receiving this statement was duly submitted to the Government for consideration and arising out of it the ~~our~~ Acting Prime Minister ~~sent~~ who was unable to appear in person sent the Councillors the Government's final reply which was read by the Chairman of the Council (Mr W. E. Meas Secretary for Native Affairs). (See Annexure H).
8. The Councillors thereupon adjourned to consider their final reply which was ~~submitted~~ read in open Council by the Chairman of the Council. (See Annexure I. ~~etc.~~). This was followed by a brief debate in which the following Councillors participated: Councillor R. V. Selo for Becha, Councillor R. H. Doodle & Councillor Dr. J. S. Mankwa whereupon the Council adjourned a second time without ^{entering upon} ~~doing~~ its normal business.

while groups in their common struggle for ~~the~~ citizenship rights in ~~the land of~~ their common country.

^{December}
13. In ~~March~~ 1946 the ~~Executive~~ Executive Committee of the African National Congress at its annual conference held in Bloemfontein adopted a resolution endorsing the action of the Council in adjourning for a second time (See Annexure L.)

14. In March 1947 the Executive Committee of the African National Congress (Cape) passed adopted a resolution calling upon the Prime Minister to take ^{immediate} steps to end the deadlock between the Government and the Native Representative Council ~~in the matter~~. This resolution was forwarded to the European representatives of the African in Parliament and was presented to the Prime Minister by Messrs U. M. Dabengwe M.P., Adv. D. Mollens M.P. and Senator C. H. Malan who, among other things, placed before the Prime Minister a schedule, showing based upon the reports of the Council since its inception, showing the number of times the advice of the Council on various matters had been raised ~~put~~ before the Government with little or no result — ^{the consequence being} ~~in fact~~ the present impasse between the Government & the Council. (See Annexure M.)

15. In May 1947 the Prime Minister ^{invited} six members of the Council to Cape Town ~~to~~ meet him. A full report of the interview was circulated to the members by the Chairman of the Caucus. (Annexure N). On the instructions of the Prime Minister a verbatim report of the interview was sent to all members of the Council by the ~~Chairman~~ Department of Native Affairs (Annexure O)

16. During the same month (May¹⁰ 1947) the members of the Council were advised to stand by for a

a special meeting session to be convened, by at which ^{inter alia} the Prime Minister would address the Council on his proposals. At that time it was thought that this session would ~~meet~~ ^{be held} in Cape Town before the end of the Parliamentary session. When the Parliamentary session ^{closed}, it was presumed that the Councilors would be called to meet the Prime Minister in August or at the latest early in November before the expiration of the life of the second Council. Early in October we learnt to our surprise that the Prime Minister had found it impossible to arrange to meet the whole Council as promised and that instead he had decided to issue for general information a statement in which he had outlined in somewhat greater detail the tentative proposals which he placed before the six Councilors in Cape Town. This time we ^{were} ~~are~~ informed the tentative proposals bear the imprimatur of Cabinet approval (See Annexure P).

17. Prior to this I had already instructed the Secretary of the Caucus to ~~also~~ invite the members to attend a special meeting at Bloemfontein to discuss among other things, (a) the ~~Prime Minister's~~ proposals (b) the ^{idea of the} boycott of the forthcoming elections which has attracted some attention among the articulate sections of the African population. It had originally been planned to hold this meeting on Saturday October 4th but circumstances compelled ~~you~~ us to postpone it to ^a ~~the~~ later date.

18. Before proceeding to consider in detail the ~~main~~ ^{major} items on our agenda it seems necessary for us to pause to make some general observations on the situation in which we find ourselves.

19. In the first place I want to remind ^{the members} that ^{when} we adjourned in the

first instance we did so because of what we called the repeated "breaches of faith" on the part of the Government in its dealing with the Council. It is not necessary for me to remind you about the number of times the Government ^{through its representatives} has failed to fulfil its solemn promises to the African people. All I wish to do at this day is to draw your attention to this latest example of this breach of faith.

At the May conversations the Prime Minister, the head of the Government, promised to call together the whole Council to inform before it what he considered proposals designed to end the deadlock between the Government and the Council and to launch a new era in native policy. Not only has the Prime Minister failed to fulfil his promise to the accredited representatives of the African people, but the Government has gone further and ~~has~~ decided not to convene the ^{normal} statutory meeting of the Council which was due to have taken place in November to consider draft estimates of the ^{South African} ~~Trust~~ and any draft legislation affecting natives to be brought before the next session of Parliament. Instead of meeting

~~which inter-pretation can be placed upon~~
 the Council which ^{by its adjournment in August 1948} began the negotiations for a revised native policy the Government has decided to ^{suspend} postpone all negotiations until a ~~new~~ ^{has been elected} new Council ~~with possibly an~~ ^{are} we not entitled to surmise that ^{they} ~~has been done~~ ^{has been done} ~~entirely different complexion~~ ^{is} ~~to be elected~~ in the hope that the new Council will have ~~an entirely~~ ^{from the present Council and others} a substantially different complexion. ~~For~~ ^{to} ensure ~~an easy~~ ^a relatively easy passage for the new proposals? It may also be hoped that as a result of the boycott movement at present on foot among the articulate sections of the African people the so-called "non-co-operationists" will be eliminated from the Council and be replaced by a body of men more amenable to government control and direction. Whatever may have been in the mind of the Government in deciding upon these tactics

we would be failing in our duty if we did not condemn in the strongest terms possible this further example of the contemptuous manner in which the Government treats this body of its own creation, and ^{we would be failing in our duty if we} did not take appropriate measures to ensure that the primary object of our adjournment, namely, to ~~and get the embargo upon~~ Government to undertake a genuine ^{fundamental} revision of its ^{the Government's} native policy, is not defeated by the new Council on which it has apparently been decided to pin its faith.

20 Coming to the proposals themselves I want to remind you about what I said to you in my report on the Cape Town conversations I quote " But although we may have succeeded in getting the Government through the Prime Minister to agree to set our native policy upon a new course different from that of the past, we shall have to scrutinise with the utmost care any specific proposals designed to give effect to this so-called new policy. We must be on our guard against being fobbed off with something which superficially has the appearance of change when in fact it is substantially the same as what we have already condemned. Change is not always in the direction of progress and we are not interested in change for the sake of change. Now must we allow ourselves to be satisfied with promises unaccompanied by tangible evidence of how, when and whether they will be fulfilled. The African people have experienced so many disappointments in the history of their relations with South African governments that a certain amount of scepticism on their part must be expected. This is not so much a question of looking a gift horse in the mouth as one of fearing the Greeks even when they appear to be coming loaded ~~off~~ with gifts.

On the other hand we must not allow the caution dictated by ordinary prudence to dwell into a mere stubborn refusal to consider proposals put before us on their merits. We owe it to the people we represent to state without fear or favour precisely what it is we condemn or approve in schemes intended for them. We are engaged in delicate negotiations

on behalf of our people and we must conduct them with a due sense of responsibility".

It is in the light of these considerations that we must examine the proposals which the Prime Minister has ^{thrown us} placed before the country as a whole, and to decide whether they provide a basis for a fresh start with the work of the Council.

21 As a basis for discussion I ~~cannot~~ should like to place before you the defects, as I see them, of the Prime Minister's latest proposals and for this purpose I should like to consider the scheme under the following headings:-

① The Chairmanship of the Council. We are informed that in future this Council is to have as African chairman an African elected by the members from among themselves. This is going to be represented as a great advance on our present position. Now I am aware of the fact that the members of the Councilors have at different times expressed their dissatisfaction with the chairmanship of the Councilors, but the gravamen of their complaint has not been concerned with the ^{segmentation} colour of the chairman but his status as a civil servant who by the nature of his office ~~cannot be expected~~ ^{is concerned primarily} ~~to deal with questions of policy rather than with its formulation~~ ^{and progressive development}. The mere change in the colour of the chairman is not going to bring about that transformation in the objectives of our native policy in which alone the African people are at the moment interested. Moreover what would be the status of this African chairman in the government's scheme of things? Will he have direct access to the Ministers individually or to the Cabinet as a whole on matters affecting the African people or will he be subordinated to the Secretary for Native Affairs, ^{in the permanent line of other departments} Surely of the latter his position will be intolerable, and of the former what is going to be the basis of his relationships with the other heads of departments. Finally it must be remembered that the

Chairman of the Council is its chief Executive Officer who must
 bring the ~~been~~ carry out the decisions of the Council
 He is not like the Speaker of the House of Assembly or the
 President of the Senate whose ^{primary} ~~primary~~ to guide & direct the
 debates of the Assembly or the Senate as they ~~may~~ be during
 the Session. His office approximates more to that of an
 Administrator of a Province. Consequently there is a degree
 of permanence required in his office such as ^{would not be} ~~is unnecessary~~
 on most ^{types} of the ~~creation~~ of a chairmanship contemplated for the
 improved N.R.C.

② The Membership of the Council. The membership of the new Council
 is to be all-African. What advantage will be gained
 by this arrangement? As far as I can see the only advantage
 it will have will be that of saving senior officials
 concerned with native affairs the embarrassment of having
 to listen ^{to} to criticisms of their administration as they are
 required to do today. ~~What advantage will this advance~~
 The new arrangement is simply calculated to make those
 officials who have the destiny of the African people in their
 hands even more impervious to the demands of the people
 than they are today. As for the Council it will become
 even more of a mere talking shop than it is today.
 There would have been some point in the exclusion of these
 officials if their places had been taken by the people
 who in the last analysis are responsible for the shaping
 of ^{government} policy - namely the Ministers. Our complaint has
 been that we had the ^{eyes} ears of the government but not its
 head in the Council. Now even the eyes & ears are
 to be removed. ~~None of the~~ ^{complaint} ~~complaint~~ ^{from being} ~~like a voice~~
~~even greater cry~~ ^{more of crying} in the wilderness ~~than heretofore~~ ^{the councillors are in}
 to be satisfied with the ~~echo of their~~ ^{future} ~~future~~ ^{to be}
~~echoed~~ fed in the echo of their own voices. Out of sight
 out of mind" is to be the policy to be followed in future

Admittedly, there are two points about the new membership of the new Council which can be said to be definite improvements, namely the diminution of nominated members and the increase in the number of members. Far be it from me to make any disparaging remarks about our nominated members who have up to now given the elected members splendid support in all their endeavours, in spite of the fact they were all chiefs holding their positions at the pleasure of the government. But I feel sure that our Chiefs would be the first to admit that the new all elected Council is much more democratic than & much more representative than one which is partly elected & partly nominated. As regards the increase in the membership of the Council ~~it is suggested~~ ^{to improve} it will certainly be better than the present farcical situation under which 12 elected members are supposed to represent 800000 Africans. ^{when it is remembered that} ~~200000~~ 200000 are represented by 120 members of the House of the Assembly & of the Senate, it will be realised that the ^{proposed} increase of the ^{elected} African members of the Council from 12 to 50 does not err on the side of generosity.

3. Functions & Powers of the Council

In addition to the functions & powers which the Council already possesses under sections ~~27~~ 27 & 28 of Act 12 of 1936, it is proposed to give the Council