

ing of the Convention, and shall be eligible for re-election.

7. *Term of Office.* The officers shall hold their positions for five years.
8. *Vacancies.* The Executive Committee shall be competent to fill any vacancy occurring during the interim pending Convention approval.
9. *Finance.* (a) The general fund of the Convention shall be made up of public collections of shilling subscriptions up to a maximum of five million shillings. (b) All subscription lists shall bear the Convention rubber stamp imprimatur and the President's signature. (c) All Convention moneys shall be deposited with the Treasurer. (d) The Treasurer shall bank all Convention funds in an account styled "The All Africa Convention." (e) All cheques in favour of the Convention funds should be crossed "All Africa Convention." (f) All disbursements from the Convention funds or cheque payments must be signed by the Treasurer, the General Secretary and the President. (g) All payments must be approved of by the Executive Committee. (h) The travelling expenses of the President, the Vice-President, the General Secretary, the Recording Secretary and the Treasurer shall be paid out of the Convention treasury when funds permit.
10. *Conferences.* The Convention will ordinarily meet once in five years but may meet at any other time when the Executive Committee deems it necessary so to summon it.
11. *Venue.* The venue of the Convention shall be

Bloemfontein unless the Executive Committee or the Convention itself specially decides otherwise.

12. *Amendments.* This Constitution may be amended at any Convention meeting by a three-fourth's vote of members in session, provided that previous notice of such amendment had been published in the Bantu Press weekly newspapers ten months prior to the Convention meeting at which such amendment is to be registered.

DELEGATES.

The local committee of arrangements is still making up the complete list of delegates. For the time being we publish here those names we obtained by chance, in the hope that those whose names are missing will write and give us their addresses in view of a second edition of this book.

Approximately six hundred applied for accommodation, and four hundred actually turned up, in the following proportions:—one from Swaziland, ten from Basutoland, thirty from Natal, seventy from the Orange Free State, a hundred from the Transvaal, and two hundred from the Cape.

(1) *Swaziland.* J. Nxumalo (representing the Paramount Chief).

(2) *Basutoland.* Z. D. Mangoaela; R. S. Mohapelo; E. J. Malakane; A. Mote; O. Thokoa; I. Motsoane; R. Mokase; E. Makhetla; K. Moeletsi; J. Mavundla.

(3) *Natal.* Chief W. Kumalo; J. L. Dube; J. Kambule; N. Pongwana; S. Ngcobo, B.A.; Abner Mtimkulu; W. W. Ndlovu; A. Mazingi; C. Mapumulo;

J. Keswa ; N. M. Nduli ; A. W. G. Champion ; Manasseh Moerane, B.A. ; D. Moshe ; Chief S. Mini ; Z. K. Matthews, M.A., LL.B. ; J. Nhlapo ; Selby Msimang ; Mrs. W. Sebeta.

(4) *O.F.S.* Chief Charles Mopeli ; Headman T. M. Mapikela ; J. Pahlana ; C. R. Moikangoa ; Keable Mote ; F. Mbanyane ; S. Plaatje ; J. J. Nhlapo ; R. Cingo, B.A. ; N. Motshumi ; B. Majodina ; J. Motshumi ; T. P. Tshabangu ; P. Rakeloane ; F. Monyaneng ; A. Nkabinde ; F. Molete ; A. Malefane ; W. Dingaan ; D. Ntoane ; D. Mophosho ; J. Thabise ; J. Motlakaneng ; J. Mpolongwane, M. M. Lesuaeng ; E. K. Nhlapo ; M. Mpinda ; R. A. Sello ; R. Mapasa ; J. Kanyane ; J. Motsoai ; A. Lebere ; J. Pusho ; J. Tsoletsi ; J. Lefothelo ; Mojake ; Semai ; J. Mancoe ; Moshodi ; Chief Moloi ; Ramorara ; Molatlou ; Mosese ; Mgommezulu ; R. Rathebe ; R. Nane ; S. Crutse ; Letsie ; Mbunda ; Mokone ; H. K. Binda ; A. Leeuw ; I. B. Moroe ; P. Rampou ; Chief W. Sole ; A. Skosana ; J. Moloi ; C. L. Odendaal ; Moletsane ; Sefothelo ; Ch. Mokuena Tsoletsi ; J. Qokoane ; Z. Moloi ; V. Nhlapo ; S. M. Magasela ; D. Msimang ; A. Moloi ; K. Mabosa ; S. Leshoai ; S. B. Dichaba ; S. Moiloa ; A. R. Mokone ; Mrs. E. Mononi ; Mrs. S. Morake ; J. Chadfield ; N. Nkohlokoane ; Dr. J. S. Moroka, M.B., Ch.B. ; Mrs. J. S. Moroka.

(5) *Transvaal.* R. V. Selope Thema ; L. T. Mvabaza ; E. Mdolomba ; H. Selby Msimang ; Mrs. E. Mahuma-Morake, M.A. ; Mrs. C. Maxeke, B.Sc. ; Chief Mabe ; Chief Frank Mogale ; Crutse ; Daniel ; T. Ditshego ; J. Ramailane ; S. P. Mqubuli ; Mrs. S. P. Mqubuli ; Dr. A. B. Xuma, M.D., L.R.C.P., L.R.C.S. ; Dr. P. K. Seme, B.A. ; J. S. Mahlangu ; I. Bud-Mbelle ; D. Hlabangana ;

P. Ramutla ; P. A. M. Bell ; J. Merafe ; M. W. Somtunzi ; D. Ntsala ; Baloi ; S. P. Matseke ; Mrs. Smouse ; J. Marks ; R. Ngcobo ; P. D. Segale ; E. Mofutsanyane ; J. Koma ; G. Radebe ; J. S. Mpanza ; J. Mofokeng ; P. Zuma ; B. Mapike ; Miss E. Maganosha ; Mrs. Mohodi ; B. Mokgopa ; E. Mele ; J. Ntusi ; Phakoe ; Phororo ; A. Matsoso ; Phulo ; E. Mokuena ; L. M. S. Gule ; B. L. Mradu ; G. Makabeni ; J. W. Dunjwa ; J. N. Skosana ; D. F. Sibeko ; M. B. Moloi ; A. Mbila ; A. Thubisi ; P. Mkwebana ; J. Pitso ; M. Maplanka ; A. Motlakwana ; O. Thuloana ; J. Jojo ; Ch. Tunzi ; Idaua ; W. Leenaeng ; E. T. Mofutsanyane ; J. B. Marks ; M. Cidras ; B. Sebolai ; N. Gabashane ; E. E. Sebe ; E. P. Zulu ; J. Gedlane ; E. Segale ; E. Kambalani ; D. Sandamela ; B. Ngculu ; J. S. Mpanza ; Mrs. Mapika ; Mrs. E. Magabashe ; Mrs. Mohale ; B. M. Makgatho ; C. Davies ; E. Pitsoee ; P. Thula ; J. Buda ; T. D. Mveli Skota ; T. P. Mathabathe ; E. E. Tshabalala ; H. B. Nyati .

(6) *Cape.* D. D. T. Jabavu ; R. M. Tunzi ; R. H. Godlo ; B. B. Xiniwe ; H. T. Mangcu ; J. A. Sishuba ; R. T. Mona ; C. K. Sakwe ; Chief H. S. E. Bikitsha ; P. T. Xabanisa ; L. Mokgeledi ; Mrs. L. Gonya ; M. Mahlasela ; S. Kubukeli ; H. Ntintili ; A. Madapuna ; Chief Lupindo ; J. Baqwa ; S. Mlauli ; Majake ; W. Dana ; G. Obeda ; P. P. Jafta ; J. Siwundla ; Dr. Gool, M.B., Ch.B. ; Miss Janub Gool, B.A. ; T. Poswayo ; Wilson W. Jabavu ; J. Matshaya ; J. Matlari ; M. M. Balfour ; J. Sixaba ; B. Mashologu, B.A. ; J. Mlonzi ; P. Malunga ; Lionel Mtimkulu ; E. Chalmers Bam ; J. Coto ; H. Kekane ; P. Mama ; J. Mdodana ; E. Skweyiya ; G. G. Magobiyane ; J. M. Dippa ; J. Duli ; F. H. M. Zwide ; J. Likhing ; J. N. Kate ; Alf. Mejane ; J. Fetsha ; M. Maho ; R. S. Skenjana ;

Transvaal Congress.
Kubusie Farmers Union.
Pimville Traders' Commercial Union.
Ciskei Native Chiefs' Convention.
Pimville Women's League.
Transkei Native Chiefs' Association.
Cathcart Voters' Union.
Transkei Vigilance Association.
Communist Party, Cape Town.
African Political Organisation.
I.C.U. Yase Natal.
Communist Party, Johannesburg.
Cape I.C.U.
International Labour Defence, Cape Town.
Willowvale ; Taungs ; Kuruman ; Villiers ; Rustenburg ;
Zeerust ; Burghersdorp ; Pretoria A.D.A. ; Middleburg ;
Harrismith ; Heilbron ; Reitz ; Ventersdorp ; Beaufort
West ; Matatiele ; Naauwpoort ; Standerton ; Bothaville.
African Motor Drivers' Union.
Transvaal African Teachers' Association.
African Women's Self-Improvement Society.
The Athlone Blind School.
Natal Catholic Farmers' Union.
Graaff Reinet Vigilance Association.

THE FUTURE OF THE NATIVE. Dangers of "Political Disarmament"

Breeding Ground for Agitators.

By *Sir James Rose-Innes*

(in the *Cape Argus*).

The exposition of the Native Bills, recently issued by the Minister of Native Affairs, is a startling pronouncement to come from the official "Father" of the Bantu people. The importance of the subject justifies some criticism. The kernel of the policy is, of course, the abolition of the Cape Native franchise; failure on that point would bring down the whole structure like a house of cards.

When General Hertzog introduced his Bills in 1927 he based the policy of abolition on the necessity of preserving Western civilisation, and upholding White supremacy. We were in danger, he urged, of being swamped by the Native vote. The total electorate of the Union was at that time roundly 341,000, of whom 16,000 were Natives. Since 1927 the franchise has been extended to White adults throughout the Union. The figures, after the registration of 1933, were 922,000, of whom only 10,700 were Natives, a ratio of well under 2 per cent. (I take my figures from the official journal of the South African Institute of Race Relations).

In face of that ratio the argument of danger to White supremacy sounds rather thin. The proposed inroad upon old-established rights is now advocated as essential to political segregation, that *ignis fatuus* which is luring some of our statesmen down perilous paths. If we take

the long view, we shall see that the future of our young nation stands in jeopardy, not from the admission of civilised Natives to our franchise, but from their exclusion. To quote the words of an eloquent speaker (Rev. Dr. Douglas) to a Cape Town audience, "The only danger to our European civilisation is that we be unworthy of it."

Levelling Down.

The Minister is inclined to base the policy of abolition on both grounds, with special reliance on the second. The object of the Representation Bill, he explains, is to separate the White from the Black electorate, and thus remove the possibility of political friction. It will, he adds, establish a uniform political status for the Native throughout the Union. No doubt it will; but by a process of levelling down, not of levelling up. The Native Africans in the Cape have enjoyed their electoral privileges for eighty years. Why are they to be forcibly despoiled? If the present qualification operative against non-Europeans is an insufficient test of civilisation, let it be raised.

It is not alleged—nor could it be—that as a class they have abused their privilege. They have not been disloyal; on the contrary they have submitted with exemplary patience to legislation and treatment harshly differential. Nor have they been guilty of treason or rebellion. To disfranchise them *en masse* is a step for which there is no precedent in history, to which constitutional practice gives no countenance, and which runs counter to the trend of civilised world opinion. Yet it is insisted upon because while the Cape Native vote remains, political segregation is impossible.

Under the new policy the Natives are to be taxed and governed without any representation in the only House

that matters; they are to be for ever barred from full citizenship in their own country, to be permanently relegated to an inferior position and to be treated as a section of the community whose interests are distinct and separate from those of the Union as a whole. The vote is to be taken from the Cape Native, and the hope of obtaining it from the Bantu race, in order that this inviting prospect may be realised.

But an attempt is made to sugar the pill; they are offered something in return. The Minister points out that they are to have their views represented by Senators elected by themselves. He did not explain the method of election, and at the risk of being tedious, the process must be described.

"Fascist Flavour."

The Union is divided into four areas in each of which an electoral college is constituted. One European Senator for each area is to be chosen by the college of that area. The Native members of the Transkeian General Council form the electoral college for the Transkei, and they may elect their Senator by ordinary ballot. In the other three areas the electoral colleges are made up of chiefs, headmen, Native members of local councils, members of Native reserve boards of management, and Native members of advisory boards in urban areas.

The vote of each unit in this medley represents the number of tax-paying or tax-exempted Natives within the territorial limits of its authority. They are "to be cast collectively and individually" for the same candidate, and where there are more than two candidates, for the same order of preference among the remainder. So that the chief, headman or chairman, as the case may be, will be

able to give wholesale support to his own views or the views of the majority of his council or board. Here surely is plumping on a colossal scale. Not only is there no record of dissent, but the votes of any would-be dissentients are compulsorily reversed.

The only function of the ordinary man will be to swell the number by which the vote of his chief, headman or other unit is to be multiplied. There is a full-blooded Fascist flavour about the proceeding, which is out of place in a system professedly democratic. And, whether by accident or design, it is specially unfair to the Native intelligentsia. The tribal Native may be content, for the present, that his new vote should be manipulated by his chiefs. But what about the ministers of religion, the teachers, the members of professions, the men educated at Lovedale and similar institutions, the graduates of Fort Hare? To them the new proposals are intolerable.

The Cape educated Native will never willingly exchange the franchise he at present enjoys for the truncated electoral rights offered in substitution. Not only does he realise the value of the vote to himself, but he feels that he is a trustee for his less fortunate brethren.

A Dangerous Doctrine.

One is tired of hearing the doctrine of trusteeship expounded by self-styled trustees who are keenly interested in the subject matter, and who are anxious to impose upon the beneficiaries conditions which the latter reject. A trustee is required to have a single eye, for the interests of those to whom he stands in a fiduciary relationship, and allow no self-interest to deflect his gaze. A dangerous doctrine to be used by advocates of repression.

But the Cape Native may properly regard himself as a trustee for his voteless compatriots. In his case there is no clash of conflicting interests, in striving to preserve his present rights he is helping to improve their future prospects. And they realise that. The flair of the Native for politics, his capacity for appraising political values, is strikingly shown by the repeated refusal of the northern Bantu to accept an improvement in their own position at the expense of the Cape Native franchise.

The proposal to include educated Natives in a communal roll, and to have their votes decided for them by an irresponsible authority, is fraught with grave consequences. For the men thus dealt with are the leaders of Native opinion. Some of them have tasted political liberty, the remainder have cherished it as a stimulating ideal. How can they be expected to sit down under such treatment? We shall be breeding agitators, filled with a well-founded sense of grievance against the White man.

“The Bantu will never cease to agitate until they have finally secured the franchise right,” declared Professor Jabavu when interviewed by a Natal paper. The professor is a moderate man, but a struggle of that nature is apt to develop along lines which are not moderate, and to entail tragic consequences for both races. The possibility of political friction which alarms the Minister is a trifling danger compared with the certainty of political strife which his policy involves.

Suitable Men Excluded.

So much for the voting, now for the result. One would have thought that as the men massed behind the electoral units were all Natives, they might have been allowed to choose men of their own race. But the Bill

stipulates that the new Senators shall be Europeans with the ordinary property qualifications and with a further residential qualification of two years within the Province. These provisions are unfortunate, for they may exclude men specially suitable, but, comparing the new system with the old, the real misfortune is that the Native representation must be in the Upper House.

There are four Senators already nominated by the Governor-General because of their acquaintance "with the reasonable needs and wishes of the Coloured races." His choice—made under the advice of the Minister and others—has not been restricted by considerations of property or provincial residence, but it could not be seriously contended that the experiment has been a success. The Natives do not think so. "The Natives do not want more representation in the Senate," said a prominent leader of Bantu opinion on a recent occasion, "they already have four members, and they see nothing of them. These men remained silent when the colour bar legislation was introduced."

The elected Senators would be more amenable to Native opinion, though to what extent it is impossible to predict. The nominees of chiefs and headmen themselves dependant upon the Government for their positions, will tend to be Government men. But in any event they will be members of a Chamber which possesses the trappings, but not the reality of power. The Assembly holds the purse strings and wields the decisive authority which that implies. The Senate may not originate money bills, or impose taxation, nor may it amend Bills so as to produce that effect; and its rejection or amendment of any Bill is subject to reversal at a joint sitting of both Houses.

"A Constitutional Scandal."

In these respects it occupies a position of relatively minor importance. And its status has been seriously affected by ministerial policy. The process is familiar. The Senate assembles formally after the opening of Parliament, but soon adjourns for lack of work; it meets spasmodically thereafter, until the end of the Session is in sight. It then functions, under Government pressure, at a rate which makes due consideration of the subject matter impossible. Globular millions are voted, and important measures are passed without any adequate discussion. The procedure is becoming a constitutional scandal. Small wonder that the Native leaders consider four Senators inadequate. General Hertzog's Bill of 1927 was more liberal, for it contemplated seven special representatives of Natives in the Assembly.

The Native Representative Council which it is proposed to create was described by the Minister as giving the Natives "a voice in the discussion of their own affairs which they have never had." A modicum of exaggeration is pardonable in the case of an advocate of this Bill when dealing with one of its few satisfactory features. But in point of fact machinery is already in existence by which conferences of chiefs, members of local Councils and delegates from other Native associations may be summoned for discussing measures which affect Native interests (Act 23/1920 S.6).

That machinery has not been used as freely as it might have been, for few Governments take kindly to criticism. And the chief merit of the new proposal is that the summoning of the Representative Council prior to every Parliamentary session is made compulsory, that Bills or

draft Ordinances and also estimates of proposed expenditure which specially affect the interest of Natives must timeously be submitted to it for discussion, and that its report must be laid upon the tables of both Houses and where necessary on the table of any Provincial Council concerned. Finally it may when once summoned discuss matters within its functions which have not been referred to it.

A Safety Valve.

In these respects the Bill notably improves the existing consultative machinery. The composition of the Council is open to criticism on certain points, but into these I do not now propose to enter. It should form a useful safety valve for Native feeling and a convenient channel for the expression of Native opinion. But its functions are purely advisory; it has not a shred of administrative or legislative authority. Its usefulness will depend largely upon the spirit in which its advice is received. But when one remembers how often Ministers and legislators have sinned against the light in the past, how true it is that the vote is the only constitutional weapon by which a subject race or class can protect itself from oppression—then it is impossible to be optimistic. We can at most “faintly trust the larger hope.”

The Minister made no reference to the provision for the election of two members to the Cape Provincial Council, one for the Transkei and the other for the remainder of the Province. Under these circumstances there is no need to discuss the matter.

A Parallel.

The abolition of the Cape Native vote is a measure of political disarmament. As such, it recalls to my mind a

military disarmament undertaken by the Cape Government more than half a century ago. The parallelism is remarkable. In those days the reserves were not as crowded as they are now. It was necessary to induce the Natives to come out and work on the railway lines and the diamond mines, which were in course of construction and development. The most potent inducement was the opportunity of obtaining firearms. And this was dangled before their eyes with the consent and assistance of the Government.

I speak of what I know. As a clerk in the Native Affairs Department I saw numbers of officially signed certificates testifying that the bearers were fit and proper persons to have guns. The signatory had no personal knowledge of the men, but they had come down to the railways on the understanding that they should have guns, and they got them.

Substantially the same process went on at Kimberley.

Suddenly the Government (not the Ministry which had facilitated the purchase of firearms, but its successors) discovered that there were too many guns in Natives hands. Instead of drastically restricting the supply of ammunition, it was resolved to take away the guns. Then, as now, it was sought to sugar the pill, the Natives were to be compensated by payment of the assessed value of the arms—in many cases old tower muskets. But though they might be second-class weapons they had been bought at first-class prices, unlikely to be reflected in the assessment.

Then, as now, the compensation was inadequate, but then, as now, the psychological objection was specially strong; the Natives resented the flagrant injustice of the policy. Then, as now, the Defence Department had been

reorganised under a vigorous Ministerial head ; there were no special service battalions or bombing planes, but there were special Yeomanry and infantry regiments to support the burghers and volunteers. Basutoland was under Cape administration and the Basutos were called upon to disarm. They refused, and the war 1880 began.

The "Bitter Products."

It was a disastrous war, costly in money for it added four unproductive millions to the Cape debt, costly in blood for there were heavy losses on both sides, and costly in prestige for the result was inconclusive. Finally the arbitration of the High Commissioner was accepted, and his award, which saved the faces of both parties, was accepted by both. Three years later Basutoland was transferred to the British Government.

The policy of military disarmament led straight to war ; the consequences of the projected political disarmament lie hidden in the future. It was Abraham Lincoln who said that no nation is fit to govern another nation, and certainly no virile race can be permanently kept in subjection. That there will be tragic trouble if the attempt is persisted in, there can be no doubt though the form it will take is unknown. For that we must await the slow but certain grinding of the mills of God We may not ourselves taste the bitter products of the harvest the seeds of which are now being sown. But our children and those who come after us will.

What the Land Bill Means.

South Africa at the Cross Roads.

The Native Trust and Land Bill purports to extend and apply the principles of Act 29/1913, but it contains

provisions to which the sponsor of that Act (the late Hon. J. W. Sauer) would never have consented. The Act of 1913 was intended to prepare the way for a contemplated apportionment of land between Europeans and Natives. It did so by prohibiting land transactions between Natives and non-Natives within areas scheduled in an appendix and comprising all existing reserves and rural locations, as well as some privately-owned Native land ; also by prohibiting similar dealings in land outside the "scheduled" areas pending Parliamentary action, upon the findings of a Commission appointed to inquire and report within two years what additional areas it was advisable to set apart for the acquisition of land by Natives and non-Natives respectively.

The Beaumont Commission was appointed, and duly reported. It recommended the provision of additional Native areas larger by nearly two million morgen than those contemplated in the present Bill. But its recommendations were not acted upon. Subsequent commissions followed, whose findings met with the same fate. And now, 12 years later, the problem is still open.

The present Bill attempts to deal with it on new lines. No further Native areas are provided, but special areas lying outside the scheduled areas are "released" from the restrictions of the Act of 1913. Land comprised within such "released" areas may be acquired by Natives or by the Trust constituted under the present Bill.

S.A. Native Trust.

The South African Native Trust is a corporation in which certain Crown lands are vested by the Bill, and which is empowered to acquire further land within or

adjacent to a "scheduled" or "released" area. It is stipulated that the land so acquired, together with Crown lands in a "released" area statutorily vested in the Trust, shall not exceed seven and a quarter million morgen. The funds for these purchases and for the various other functions of the Trust are to be derived from one main, and a number of subsidiary sources. The main source is money voted by Parliament, the others are comparatively insignificant.

As regards the acquisition of land in the "released" areas, the Trust will be the principal purchaser. So that the Act of 1913 and the present Bill have this in common, that the additional Native areas will involve the expenditure of large sums of public money. Financial considerations are the crux of the problem.

Insufficient Land.

The area which the present Bill contemplates to set aside for Native occupation is made up of the existing Native areas, approximately ten million morgen, and land to be purchased by the Trust, seven and a quarter million morgen. The first category is at present in Native occupation, it includes no new land; the second category has still to materialise. Assuming that Parliamentary grants are forthcoming and that the Trust buys up to its limit, the total will represent 12.3 per cent. of the Union area.

The question arises whether this land is sufficient for the needs of the five million souls who are to develop there "upon their own lines." That is an expression which is continually in the mouths of those who enlarge upon the doctrine of trusteeship. The Minister is no

exception to the rule. He is devoted to both expressions. In his recent pronouncement he does not use the exact words, but he states that in the scheduled and reserved areas "the Native will be free to carry on his own activities without interference from the White man and to develop his own racial type, so that his future advancement will ultimately rest with himself."

But section 23 (3) of the Bill prohibits the issue or renewal of a licence for any profession, business, trade or calling within a Native area without the permission of the Minister, who may assent or refuse at his discretion. The clause would enable the Minister to deprive Natives of their livelihood at will. It is hardly consistent with his assurance of non-interference quoted above. It would indeed clear the air if the Minister or some other man of light and leading would enlarge upon the meaning of "development upon their own lines."

European Influence.

For a century and more the Native has been in contact with our civilisation and under its influence. He has developed along those lines. He knows no other civilisation, and he wants no other. Is it suggested that, once segregated in his reserve, the process should stop, and that he should revert to tribal standards? Or is the expression merely a euphemism for shutting him out from our polity and leaving him to stew in his own juice? It is not suggested that either process is possible. But the matter is one which may affect the financial as well as the social aspect of the problem, and it should be cleared up.

Reverting to the question of sufficiency, it must be remembered that the maximum area the Trust may

acquire is far below the additional areas recommended by the Beaumont Commission, that the population of the reserves has largely increased since 1913, and that provision will be required for all the Natives evicted from European farms under Chapter IV of the Bill, and from urban areas under an amending Bill now being drafted. Having with almost incredible folly excluded Natives from the last census, we have no authoritative figures to guide us—but one feels that the provision made for new areas is an under-estimate.

The Minister himself is uneasy on that point, or he would not have made the remarks he did about the relative productivity of the present European and Native areas. He laid stress upon the fact that the present reserves enjoy a more favourable rainfall and are more naturally productive than the remainder of the Union.

That may or may not be so, but it does not affect the question whether or not the present reserves are congested, and it takes no account of the fact that the Natives outnumber the Europeans by three to one. The present habitats of the two races are the result of historical events and of contracts which cannot now be altered. We are concerned merely with the question whether the existing reserves are overcrowded, and if so whether adequate new areas are being provided. The Minister's remarks suggest that he entertains a doubt upon the latter point.

“ Cheap Labour.”

I have hitherto assumed that the new areas will be acquired. That depends upon the willingness of Parliament to supply the Trust with the requisite funds. And the question whether the necessary millions will be forth-

coming is of supreme importance. The Minister, of course, is sanguine, but the attitude of Parliament in the past is not encouraging.

Native reserves have too long been regarded as reservoirs of cheap labour, and Natives have been subject to harsh differential legislation. Direct taxation has weighed more heavily upon them than upon Europeans; and articles in their general use have been discriminated against in our customs tariffs. Have they ever benefited in a fair proportion from the surpluses directly due to their work? It is hardly necessary to labour the point that our treatment of the Native of recent years has shown very few indications of favour or generosity. Is the leopard likely, in a moment, to change his spots?

We have surpluses to-day, but the lean years are bound to come. Among clamant demands of farmers for subsidies, of industries for protection, of townsmen for relief from taxation, can we have any certainty that money will be found to purchase land for Natives who have no votes? There is only one answer to that question. The Johannesburg Joint Council suggests that the “raising of a loan of at least ten millions be incorporated in the Bill so as to make it possible for the Trust to work out a long-range plan of land purchase and Native development.” The acquisition of the new areas will cost far more than that in the end, but some such provision seems necessary to ensure the success of the scheme.

I now come to one of the worst features of the Bill—the clauses which deal with territorial segregation. Chapter V is lengthy, but its general purport may be shortly stated. It aims at a partial segregation, adjusted so as to ensure a permanent labour supply to farmers in

non-Native areas, while driving the surplus Natives from such areas into reserves. That is the general scheme. The principles of the Native Service Contract Act of 1932 are to be applied throughout the Union. A strongly-worded protest against that measure was drawn up by the Cape Peninsula Church Council and influentially signed while the Bill was before Parliament. It had no effect, and the principles which were then applied to Natal and the Transvaal are now extended to the whole Union.

Squatters—men who pay rent but render no service and who are on the land when the Act comes into operation—must be registered. For such registration a licence fee is payable on an annually increasing scale which rises to £10. No new squatters may be recognised after the Bill becomes operative. Labour tenants who render service for part of the year must also be registered, and machinery is created for ensuring that no larger number is retained on the farm than is required for domestic, farming and industrial occupations. Though their service may only extend to six months of the year, they are made subject to the Master and Servants Acts with their severe statutory penalties.

Squatters and Tenants.

Squatters and labour tenants who do not fall within the protection of the statute are liable to summary ejection. In that event provision is to be made by the Department of Native Affairs (not the Trust) for the evicted person in a "scheduled" or "released" area. The general result will be to drive out the squatter and to place the labour tenant in a position in which he becomes an ordinary servant at a sub-economic wage.

In the balanced and restrained analysis of the Bills

issued by the Institute of Race Relations occur the following remarks in Chapter V: "This section of the Bill affects about 1,618,000 Natives, and it should be noted that in many, if not most, instances the tribes to which the Natives belong have been resident on the land since before the European occupation."

But there is another measure to be considered in this connection. The two Bills already published, though the result of ten years of incubation, do not exhaust their theme. An Urban Areas Amendment Bill is being drafted to complete the trilogy. A departmental committee has been appointed for that purpose. The object of the Bill is "to control the influx of Natives into, and the removal of surplus Natives from, urban areas." It is evidently proposed to apply to the town the principle which the present Bill makes applicable to European land in rural areas.

Obligation of Honour.

Such is the scheme now before the country. The Act of 1913 recognised the inadequacy of the Native areas, and undertook to enlarge them. The Minister declares that there was no resulting legal obligation to supply Natives with additional land inside the enlarged areas. That is not the point. There was an obligation of honour to supply additional areas. The terms of the Act and the speech of the Minister who introduced it established the obligation. In the twelve years which have elapsed the position has greatly worsened. The Government now offers to fulfil the undertaking, but it clogs its offer with two conditions—the abolition of the Cape franchise and the drastic provisions of Chapter V of the Land Bill. The whole scheme hangs together; it is impossible to accept

one Bill or one chapter and reject another. We are told that righteousness exalteth a people. What righteousness or fair dealing is there in such a policy ?

The Natives are requested to define their attitude. No graver questions could be put to any people ; upon their reply great issues will depend. They have already asked that the Bills should be translated and distributed, and that adequate time should be allowed for consultation. Surely a reasonable request. It has taken ten years to evolve these measures, with the assistance of experts and officials. It is only right that those who are directly affected by the proposals should have sufficient time to consider them.

There are three main questions :

- (1) Is the additional area adequate ?
- (2) Is it likely to be obtained ?
- (3) Should an offer clogged by the conditions I have mentioned be accepted ?

There are other points which require to be carefully weighed, but these I have mentioned seem the most important. And the draft Bills are not easily mastered. Even to those accustomed to legal documents they present difficulties. It is to be hoped that they will not be hurried on. Such a course would be not only unwise, but impolitic. The Bantu people do not like to be rushed, they love to talk a question out. The Bills contain much that is unpalatable, and time for full discussion will not be time wasted. Nor is the present an apt moment to legislate upon subjects which relate to difference in colour. Events are proceeding upon the African stage which are calculated to intensify race feeling and colour prejudice. South Africa, like other parts of the Continent, is quivering with

excitement. It would be wise to wait for a calmer atmosphere.

Towards Fascism ?

In conclusion, I would invite attention to the effect these Bills are likely to have upon the future of Parliamentary Government in this country. We live in troublous times. A tidal wave of absolutism is sweeping round the world. It takes different forms in different countries ; sometimes it comes in democratic guise. But all its forms have this in common—they are fatal to that spiritual and personal liberty which alone makes life politically worth living. Democracy is for the moment in the trough of the wave, it is in sad case, but it will come into its own again, though it may be through much tribulation.

The Union of South Africa is not a democracy ; the mere fact that it has adult suffrage does not make it one. The test is whether the will of the people prevails. With us it is the will of a privileged minority which prevails. What we have is parliamentary government, which is sometimes a democratic system and sometimes not.

The parliamentary system itself is on its trial ; the power of Parliament, even in England, the Mother of Parliaments, is being encroached upon and weakened—encroached upon by the domination of the Ministry and the caucus, weakened by an undue burden of work and an undue volume of talk, by the influence of the Press, by the spread of broadcasting and in other ways. Yet parliamentary government may long survive when it is rooted to the support of the great majority of the people.

That is not the case here. As time goes on and the quality and culture of the voteless majority increases we shall have to choose between vivifying our Parliament by

widening our suffrage or adopting some other form of government. And what will that form be? I venture to think that the tendency will be toward Fascism: these Bills bring us nearer to that contingency.

There are questions raised by this legislation, questions of national honour and fair dealing which far outweigh in importance the matters which concern our material prosperity.

South Africa stands at the cross-roads. May she have the wisdom to choose aright.

(Concluded).

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