

- (h) Not only is the electorate limited within the various locations, but all Africans living outside the locations, in townships such as Sophiatown, in European areas as domestic servants, etc., are without any form of representation.
- (i) The lack of provision which will ensure that the wishes and opinions of the Boards shall be adequately stated and urged before the actual Municipal Councils, has caused many of the members of the latter to remain in ignorance of the Boards' representations and even of the Boards' existence.

3. This Council has followed the development of Advisory Boards closely during the past 20 years. It considers that they serve only the very limited purpose of building among Africans the nucleus of responsible and capable civic leadership. It is apparent that this limited usefulness is now doubtful.

4. In a memorandum issued in 1944, the Johannesburg Joint Council put forward detailed suggestions for reconstituting the Advisory Boards, in such a way as to define their powers more clearly to give them an increasing responsibility in administration of urban African affairs, and to enable them to become a real means of expression of African opinion. (See Annexure II)

5. Various amendments with regard to Advisory Boards were made by Act 25 of 1945. These aim at a fuller consultation on the part of the local authorities with the Boards, in all matters concerning the locations, and with consideration of estimates of expenditure for the Native Revenue Account. It is too early yet to see whether these amendments will have the desired effect, but as no compulsion is exercised on the local authorities to adopt the recommendations of its Advisory Boards, it is very unlikely that these changes will serve to dispel the urban Africans' distrust of the system. The suggestion "that the Department of Native Affairs should take particular pains to ensure that the views of the Boards have been sought and adequately represented before decisions are taken on matters within the jurisdiction of the Boards" might add weight to the aims of the amendments.

6. This raises the question as to how the liaison between Advisory Boards and the Municipal authority is to be effected. It is the strong view of the Joint Council that this can only be achieved by some form of direct representation of Africans on the Municipal Councils. The town is an economic and social unit of which the African is an indispensable element, and must be subject to one central authority. Even should the Advisory Boards - as is desirable - be developed as strong and responsible organs of local government, they would still be concerned obviously with only a small part of the administration and legislation concerning the urban African. Such representation is necessary, not only to enable the needs of the Africans to be adequately made known, but to develop the sense of collective responsibility essential for the well-being of the community as a whole.

Without it, the possibility of bringing about an harmonious adjustment between the different racial groups of the city is remote, and cleavages between them will widen.

APPENDIX I.

Permanent Urbanisation and Proportion of Africans  
having no claim to a home in a Native Area.

The Joint Council, not having had the facilities to institute any research projects which would yield the facts relative to these questions, is unfortunately not in a position to provide any concrete data of its own. It does not propose to recapitulate evidence, culled from a variety of sources, which has doubtless already been placed before the Commission; e.g. estimates of landlessness in different Native areas (cf. memorandum presented by Mr. D. Moltene, M.P.); the estimates that one half of the urban populations of Grahamstown and Pretoria are permanently urbanised respectively dealt with by Dr. M. Hunter and Mrs. E. Krige; the opinions expressed by authorities familiar with urban Native conditions in Johannesburg to the effect that there is increasing evidence of urbanisation afforded by the lengthening residence of wives, the larger number of children who are reared in Johannesburg instead of being sent home to their rural kin, the growing number of marriages that take place in town between Africans who meet each other in town, and the tendency for men, even if they marry in a rural area, to bring their wives to town with them immediately after marriage instead of, as formerly was frequently the case, leaving the wife in the care of the paternal kinsmen.

From January to March 1944 a survey, organised by Dr. H. Kuper, at that time lecturer in Social Anthropology at the University of the Witwatersrand, was carried out in the Western Native Township by three European and one African investigator. During the course of this survey, attention was paid to the collection of material relating to "permanent urbanisation" and Dr. Kuper has kindly allowed the Joint Council to select such facts as the Joint Council considers relevant for presentation to the Commission.

The sample group (one in ten of the houses in the location, excluding the Nissen huts) showed the following length of residence in the location:

<u>Period in Township.</u>	<u>Number of Registered Tenants.</u>			
	<u>1-roomed</u>	<u>3-roomed</u>	<u>4-roomed houses</u>	<u>Total.</u>
0-5 years	33	1	1	35
5-10 "	32	6	0	38
10 " plus	77	9	2	88
Unknown	15	0	0	15
Total	<u>157</u>	<u>16</u>	<u>3</u>	<u>176.</u>

i.e. 50% of the sample families had lived in the location for ten years or longer.

<u>Period Spent in Town</u>	<u>Men</u>	<u>Women.</u>	<u>Total.</u>
0-5 years	2	9	11
5-10 "	5	16	21
10-20 "	48	62	110
20 " plus.	65	87	152
	<u>120</u>	<u>174</u>	<u>294</u>

i.e. 52% of the individuals comprising this sample group had lived in town for 20 years or longer.

The place of residence of the children is generally accepted as one of the major indications of urbanisation.

The Western Native Township material showed that the 683 surviving children of 189 monogamous households were distributed as follows:-

- 507 with parents or parent in location,
- 83 with rural kinsmen or, in a few cases, at boarding school,
- 93 adult children, either married or employed and living on their own in town.

Among the 190 sample families with children, it was found that in only 7 families (including 3 polygamous families where one of the wives was always resident in the country) were all the children in the country, and that in 31 the children were separated, one or more being in the country.

(N.B. The reason for the children's residence in the country does not necessarily lie in a deliberate intention to have them grow up in a rural environment. The inadequate provision made for family life in towns and the housing shortage are contributory factors.)

An enquiry into the rural property holdings of 396 men and women in the sample group gave the following results:-

<u>Rural Property.</u>	<u>Men</u>	<u>Women</u>	<u>Total.</u>
Land only	9	0	9
Cattle only	30	3	33
Land and Cattle	17	0	17
Nil	<u>142</u>	<u>195</u>	<u>337</u>
Total	<u>198</u>	<u>198</u>	<u>396</u>

The Report comments on these figures as follows:-

"There was no consistent enquiry into whether plots were held in tribal territory or were privately owned in released areas. We were concerned primarily with the extent to which our informants still regarded themselves as possessing a stake in the country.

"56 of the 198 sample families (i.e. 29 per cent) had some form of rural property (the three women who owned cattle were the wives of men who owned property in the country.) These property owners were for the greater part members of the older generation. The possession of land in the country does not always indicate that its owner intends returning to the country. The ownership of cattle alone is an even less reliable index of the intention to return. In the location we were quite often told, 'Cattle die and there is nothing to go back for. Here you have your children.' Individual variation is great, and intentions are swayed by circumstances which cannot be foreseen."

The material obtained from this survey, which admittedly relates to a township which could be assumed to have a more stabilised population than slum areas or newer townships, is indicative of a growing trend towards permanent urbanisation among at least a section of the urban Native population.

PROPOSALS FOR RECONSTITUTING THE ADVISORY BOARDSSUBMITTED BYTHE JOHANNESBURG JOINT COUNCIL OF EUROPEANS AND AFRICANS.

The South African political system is a "limited democracy". Nevertheless, it is accepted in theory that South Africa is a democracy and therefrom flows the implication that the ultimate aim of development should be directed towards the attainment of full democracy. South Africa's entry into this war, and the affirmation by the people at the recent general election of its participation, demonstrate clearly that South Africa believes in the basic principle of democracy, this basic principle being "The sovereignty of the people by the will of the majority".

Although in South Africa there have been special, though not unique, difficulties to face, in that its population comprises different racial groups with, as yet, differing educational and cultural standards, the Union Government in the Native Representation Act of 1937, made partial provision for the incorporation of Africans into the democratic machinery of this country.

We submit that the time has now come to extend the democratic principle of representation to local government and to make provision for the representation of Africans on local government councils. As far back as 1920, the Transvaal Local Government Commission agreed that "if the Native is to be regarded as a permanent element in Municipal areas, and if he is to have an equal opportunity of establishing himself there permanently, there can be no justification for basing his exclusion from the franchise . . . . If, as we consider, it is to the public advantage that all sections of the permanent community should be represented in Government, on what ground is the franchise withheld from the Native?"

In 1923, under the Natives (Urban Areas) Act, provision was made for the setting up of Native Advisory Boards in villages and locations. After 20 years of trial and limited experiment, it is now clear that these Advisory Boards have, in their present form, proved largely ineffectual, but that they could, provided they were adapted to existing needs, fulfil a useful purpose in building nuclei of responsible and capable civic leadership. The time is ripe for a revitalisation of Native Advisory Boards.

Their failure has been due to the absence of executive and administrative functions - no body, however skilfully devised, will function if its members and the public which it represents labour under the sense of its ineffectiveness.

The Boards must be built to carry certain well-defined functions, and only then will they be able to retain Africans of ability who, at the moment, while entering the service of the Boards with sincere enthusiasm, leave them with a sense of disillusioned frustration. We therefore strongly urge that the functions of the Boards be extended and specified in the following directions:- the examination of all questions relating to the welfare of their constituents and the consideration and/or framing of the Estimates of the Native Revenue Account before their presentation to the local authority. Unless the Boards are given financial responsibility they will remain futile and unable to inspire a sense of responsibility and confidence in their members.

We would mention, inter alia, that as Advisory Boards are invested with the important function of electing representatives onto the Native Representative Council and of casting the urban location vote for the parliamentary representatives of the Natives, it is fitting and proper that they should be constituted in such a way as to be representative of the people.

The Joint Council puts forward the following scheme, the outcome of lengthy discussion and consideration of the Advisory Board System, as a basis for reconstituting Advisory Boards on democratic lines (1)

1. LOCAL BOARDS:

Advisory Boards have hitherto been established only in Native locations.

At present, therefore, as less than one half of all Africans constituting Johannesburg's African population lives in the locations, the Advisory Boards are representative of only a limited proportion of the Africans of Johannesburg.

In order to remedy this obvious anomaly, it is recommended that Local Boards be set up for each Native Location, and to commence with, one board for the Africans living in hostels and one for those living outside the locations in areas such as Martindale, Sophiatown and Newclare. Later, these two Boards would have to be subdivided to include approximately not more than 20,000 voters each. As the system develops, provision should be made for the inclusion of domestic servants and other employees on their employers' premises in its operation.

2. FRANCHISE:

We recommend, that, in accordance with the regulations governing the qualifications for European voters and candidates laid down in Sections 4 and 8 to 11 of the Transvaal Municipal Election Ordinance No. 4 of 1927, that any man or woman who has reached the age of 21 and has resided within the Municipality for a period of 6 months immediately preceding the compilation of voters' rolls should have the right to vote and stand as a candidate for a Board. Any African convicted of murder should be disqualified, as also, any African convicted of a crime for which the punishment is imprisonment with hard labour without the option of a fine.

Electoral rolls shall be compiled, as is the procedure for European Municipal elections.

3. ELECTIONS:

Board elections should be held annually, one third of the Board members retiring each year in succession.

4. WARD ORGANISATION:

Townships and areas outside the townships should be divided into wards, comprising approximately 3,000 voters each, and each ward should have the right to elect three members to the Local Board. In delimiting these wards, the electoral officers should not aim at any mathematical precision, but should give close consideration to community of interests (Act Delimitation Section 40).

Ward meetings should be encouraged, organised by a small ward committee of representatives elected by the inhabitants of the ward. →

The function of these ward committees should be to discuss matters appertaining to the ward, advise the ward's elected members on the Local Board, suggest improvements, encourage co-operation between the residents for common welfare, speak for the ward, hold meetings of the residents of the ward to inform them of important matters and to hear their views. →

5. LOCAL BOARDS.

A Local Board should be constituted of members elected by the different wards in the area for which the Local Board has been established. It should elect/... 3

(1) We have deliberately refrained from discussing details of procedure, such as the recording of minutes, quorums, times and frequency of meetings, etc. as we believe that major questions of policy must first be decided, and that the boards should themselves decide details of administration.

elect its own officers from amongst its members. The superintendent of the township, the Manager of Native Affairs or his deputy, and City Councillors should have the right to attend meetings of Local Boards and to speak, but not to vote.

The function of Local Boards should be to discuss all matters affecting the welfare of their constituents, put forward proposals for the betterment of conditions which shall come before the Central Board, and, through it, to the City Council. Evictions recommended by the Superintendent should come before the Local Boards in locations for final sanction. Local Boards should not be invested with any police powers, nor should they be responsible for carrying out the duties of the police. Rather, it should be their aim to build an organic community.

#### 6. CENTRAL BOARDS:

The Central Board should be composed of members elected by Local Boards in proportion to their strength, a suggested basis for such representation being one member to every 10,000 votes, or part thereof. In addition, there should be three City Councillors appointed by the City Council, and three members co-opted by the Central Board. Location superintendents, the Manager of Native Affairs or his deputy, the Native Commissioner or his deputy, and City Councillors should have the right to attend meetings of the Central Board, to participate in discussion, but not to vote. The Central Board should elect its own officers, and should appoint, after advertising the post, a full-time African Secretary at a salary of £240, rising to £360. The Central Board should have a centrally situated office. The Secretary's office will be a very responsible one. In addition to the usual duties of a secretary, he should be the liaison with the Manager of the Native Affairs Department, maintain contact with the Local Boards and ensure that reports of their activities are regularly made to the Central Board. He should have such clerical assistance as is necessary.

The Central Board should meet not less than once a month, and a certified copy of its minutes should be sent to all members of the City Council. It should meet the Native Affairs Committee of the City Council quarterly and have the right to submit matters for the attention of the Native Affairs Committee every month.

The Central Board should elect two members to attend meetings of the Native Affairs Committee.

#### 7. FUNCTIONS OF THE CENTRAL BOARD:

(a) The Central Board should deal with all matters affecting the welfare of Africans in the City, and the Native Affairs Committee should give earnest consideration to its recommendations. The Boards will come to be regarded as instruments of worth only if the people find that through the Boards they are offered an effective channel of local representation. It is fundamentally important that all recommendations of the Central Board should be communicated to the City Council, and that reports of the Councils' decisions be made in writing to the Central Board.

(b) The estimates of the Native Revenue Account should be placed before the Central Board for consideration and recommendation before they are finally submitted to the City Council, and should not be passed by the Minister of Native Affairs unless he has evidence that this has been done. If the Central Board does not approve of the estimates so presented, it should have the right to submit alternative estimates to the Minister.

The Central Board should at all times have access to information relating to the Revenue Account.

This should be clearly understood to be an interim technique designed to lead to placing upon the Central Board the responsibility for framing the estimates, as do the Transkeian Bunga and Local Councils throughout the Country.

8. EMOLUMENTS:

Members of Local Boards should receive £3 per month. Members of the Central Board should receive no additional emolument, but should be entitled to travelling expenses incurred in the performance of their duties.

NAME OF BOARD:

Since it is proposed to give the Boards authority over the expenditure of money, their functions will exceed advisory ones, and hence they should be called "X (name of township or area) Local Board" and "Johannesburg Central Board".

PROVISO:

A scheme of this nature, which involves the creation of effective self-governing bodies for Africans and the commencement of civic development, can only be successful if there is a genuine desire to ensure its success. The difficulties in the way of the successful working of the scheme are considerable - above all it is difficult to integrate a number of self-governing institutions representative of one section of the population into a developed system of institutions elected by a different section of the community, in the election of which the former section has no voice. The City Council is the final authority and controls the Native Affairs Department. Yet the Native Affairs Department will have to co-operate fully with Local and Central Boards. In order to obviate certain of the difficulties that must inevitably arise, the direct representation of Africans on the City Council is clearly indicated. →

Furthermore, if the Boards are to function usefully, it must be clearly understood that their inauguration is no mere extension of tribal institutions to urban areas. An African urban population is totally different from a tribal group: its organisation bears no resemblance to that of a tribal group: its problems are different, as also are its needs. Urbanised Africans are part and parcel of Western Civilisation and are moulded by its dominating trends. Attempts to pattern the governing institutions of urban Africans in accordance with tribal concepts of a Supreme Chief and his Council will undermine the foundations of a whole scheme. South Africa has accepted the principle of democratic government and must now wisely proceed to forge the instruments which will make democracy operative.

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