

DRAFT SCHEME FOR RECONSTITUTING THE ADVISORY BOARDS

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SUBMITTED BY THE

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 principles of democracy, this basic principle being "the sovereignty of the people expressed 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, skillfully 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 out 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 administration of certain funds. The annual discussion centering in the budget is always considered the highlight of any democratic governmental institutions. Unless the Boards are given this financial responsibility, they will remain futile and unable to inspire a sense of responsibility and confidence in their members.

The Joint Council puts forward the following scheme as a basis for reconstituting Advisory Boards on democratic lines (1) :-

Local Boards.

Advisory Boards have hitherto been established only in Native locations.

(1) We have deliberately refrained from discussing details of procedure, such as the recording of numbers, 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 such questions.

(1) 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 each for Africans living in hostels, for those living outside the locations in areas such as Martindale, Sophiatown and Newclare, and for domestic servants and other employees residing on their employer's premises. As the system develops, these latter three Boards will have to be subdivided to include approximately not more than 20,000 voters each.

Elections.

(2) It is emphasised that the objective is the compilation of an electoral roll, as is the procedure in European municipal elections. The compilation of such electoral rolls in the locations presents no untoward difficulties. Should, however, the compilation of such electoral rolls for the remainder of the population present formidable difficulties, we suggest as a temporary measure, a system of electoral colleges, such as operates in the election of Senators. Board elections should be held annually.

Franchise.

(3) We recommend that, following the provisions made for European voters and candidates in the Transvaal Municipal Ordinance No. 17 of 1939, Section 20 to 27, any man or woman who has reached the apparent age of 21, has been resident for 6 months in the Municipality, and has had no conviction of more than 3 years imprisonment without an alternative of a fine, shall have the right to vote or stand as candidate for a Board.

(4) Ward Organisation.

Townships and areas outside the townships shall be divided into wards, comprising approximately 1000 voters, and each ward shall have the right to elect one member to the Local Board. In delimiting these wards, the electoral officers should not aim at any mathematical precision, but should take existing "neighbourhood" complexes into consideration.

Ward meetings should be encouraged, organised by a small ward committee of representatives elected by the inhabitants of the ward, with the elected board member as Chairman.

The function of these ward committees shall be to discuss matters appertaining to the ward and to instruct the ward's elected member on the Local Board.

(5) Local Boards.

A local board shall be constituted of members elected by the different wards in the area for which the local board has been established. It shall elect its own officers from amongst its members. The superintendent of the township, the Manager of Native Affairs or his alternate, and City Councillors shall have the right to attend meetings of local boards and to speak, but not to vote.

The function of Local Boards shall be to discuss all matters affecting the welfare of its constituents, and shall put before the Central Board schemes involving the expenditure of money. If the Central Board votes the funds for such projects, the Local Board shall be responsible for supervising their execution. Evictions recommended by the Superintendent shall come before the Local Board for final sanction; and all applications for licences should come before the Local Board for its recommendation. Local Boards shall not be invested with any police functions. It shall be their aim to build an organic community, but not to be responsible for carrying out the duties of the police.

(6) Central Board.

The Central Board shall 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 shall be three City Councillors appointed by the City Council, and 3 members co-opted by the
3. Central Board.....

Central Board. Location superintendants, the Manager of Native Affairs or his alternate, the Native Commissioner or his alternate, and City Councillors shall have the right to attend meetings of the Central Board, to participate in discussion, but not to vote. The Central Board shall elect its own officers, and shall appoint, after advertising the post, a full-time African Secretary at a salary of £240, rising to £360. The Central Board shall have a centrally situated office, where the Secretary shall carry out his duties. The Secretary's office will be a very responsible one. In addition to the usual duties of a secretary he shall be the liaison with the Manager of the Native Affairs Department; he shall maintain contact with the Local Boards and ensure that reports of their activities are regularly made to the Central Board; he shall report on the progress of work financed by the Board. He shall have such typing assistance as is necessary.

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

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

7. Functions of the Central Board.

(a) The Central Board shall deal with all matters affecting the welfare of Africans in the City, and the Native Affairs Committee shall give earnest consideration to its recommendations. Responsible recommendations will only be made if the members of the Board find practical proof that what they say is considered and not, as hitherto, treated as the verdict of a debating society. The Boards will only come to be regarded as instruments of worth, and so entitled to prestige by the people if the people find that through the Boards they are offered an effective channel of local representation.

(b) The Central Board, and through its sanction the Local Board, shall be responsible for the administration of a Fund, which shall be known as the African Board Fund. To commence with the Fund could be a small percentage - 10 per cent - of the total Native Revenue Account, rising, as the Board members gained experience, by a certain percentage every year until a fixed maximum is reached. The African Board Fund shall finance projects to meet the needs of the Africans in the City. The budget of the Council shall be submitted to the Board, after which the Board shall decide what additional developments it wishes to undertake. Such deficits in the Native Revenue Account as may arise from financing the Native Board Fund shall be met out of general municipal revenue. It is a principle of all progressive taxation to meet all deficits arising from the financing of social services in poorer areas out of rates contributed by wealthier sections. The recommendations of the Board, in so far as they deal with finance are inevitably subject to the approval of the Finance Committee, but we urge that the Finance Committee shall not reject any such proposal without good reason laid fully before the Board.

(c) The estimates of the Native Revenue Account shall be discussed with the Central Board before they are finally submitted to the City Council.

8. Emoluments.

Members of the Central Board shall receive £2 per month and any travelling expenses incurred in the performance of their duties. Members of local boards, so as to reduce the expenses of the scheme and to ensure that candidates shall not seek election for monetary advantage, shall receive travelling expenses only.

Name of Board.

Since it is proposed to give the Boards authority over the expenditure of money, their functions will exceed purely advisory ones, and hence they shall be called "X (Name of township or area) Local Board" and "Johannesburg Central Board". Members of the local boards shall style themselves M.L.B. and members of the Central Board M.C.B.

Proviso.

Ascheme of this nature, which involves the creation of effective self -
4. government bodies

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 the 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.

(a) The Board shall have the right to elect all its members and to elect a Chairman and a Vice-Chairman. The Board shall have the right to elect a Secretary and a Treasurer. The Board shall have the right to elect a Committee of Enquiry to inquire into the conduct of any member of the Board. The Board shall have the right to elect a Committee of Enquiry to inquire into the conduct of any member of the Board. The Board shall have the right to elect a Committee of Enquiry to inquire into the conduct of any member of the Board.

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Members of the Board shall receive 25 per cent and any travelling expenses incurred in the performance of their duties. Members of local boards shall receive 10 per cent and any travelling expenses incurred in the performance of their duties. Members of local boards shall receive 10 per cent and any travelling expenses incurred in the performance of their duties.

It is proposed to give the Boards authority over the expenditure of their funds, their functions will extend to the management of their funds. It is proposed to give the Boards authority over the expenditure of their funds, their functions will extend to the management of their funds. It is proposed to give the Boards authority over the expenditure of their funds, their functions will extend to the management of their funds.

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