

SENATOR JONES: Mr. President, one appreciates the difficulties which the Minister has had to face in considering all the representations which have been placed before him, and more particularly when he has been dealing with the needs and the rights of men and women who have placed their lives at the disposal of the country, but who, live on different planes of living. It is impossible at this late hour to speak at any length on this measure, although there are many points one would have liked to have taken. But I want to address myself more particularly to the position of the Non-European soldiers, and more especially to the position of the native soldier under chapter 7 of this Bill. One realises that it is impossible to consider a measure of this kind without taking into account the actual situation in our country, that the population as a whole is not on one plane of living, and that in meeting the claims of the European and the coloured soldiers it is necessary to differentiate in the amount of their claims or the proportion of their claims. I do not, however, think that there is such a wide division or disparity between their interests as to necessitate their being treated on entirely different principles. One must accept the discriminations which are to be found in this measure in so far as the amounts of the pensions and allowances are concerned, but I cannot see what sound basis there can be for not placing all soldiers within the whole framework of the Act. I want to draw the Minister's attention to certain, what I call, special discriminations which are going to bear very hardly upon the native volunteers and their families. In clause 6 (2) the maximum gratuity available in respect of less than 20 per cent disability in the case of Europeans is £500 and in the case of a coloured man the maximum is £300. That is a gratuity. In the case of a native it is £55. In considering these figures it is necessary to keep in mind that the Coloured and the Native soldier for the most part are drawn from the unskilled classes where a physical deformity immediately makes itself felt in the earnings of the man, and I do not think that a gratuity of £55 in the case of a Native, a gratuity which may disappear before he has been at home a week, will be adequate to meet that situation. Then clause nine (2) says the maximum ages to which children's allowances may be granted or continued in the case of European males is eighteen and European females twenty-one and in the case of Coloured fourteen and sixteen respectively. I am grateful to Senator Smith for making a plea for the raising of the age of the non-European to sixteen. At least one would have liked to have seen the power of discretion given to raise the age, particularly, Sir, where as in the case of the European child if it is possible to extend the maximum age where the child is apprenticed or undergoing educational training and a bursary provision is also made.....

THE MINISTER OF FINANCE: That also applies to the Coloured. The bursary provision.

SENATOR JONES: Well, I am grateful for that, but it does not apply to the Native. I shall be glad to get the Minister's assurance on that point. In regard to a widow's pension this is a very serious defect in this Bill. I refer to clauses 17 (1), 28 (1) (b) and 31 (1). In the case of a European soldier's widow and the Coloured soldier's widow a pension is guaranteed; there are fixed rates, but there is no guarantee for the Native widow and there is no fixed rate. Now that is a very serious defect and I cannot allow that to go past without an emphatic protest against that discrimination. It is not based on any ideal of equity and I cannot see how it can be said that a Native soldier deserves less in this respect than any other soldier who has given his service to his country. It is going to be extremely difficult for us who represent the Africans in this Hon. House to go outside and meet our people and tell them what is being done in this measure for the widows of soldiers killed in this war. It may be said that there is the problem of two or more widows. If need be, we are prepared to say that where more than one wife is concerned one may assume that such a man will have an allotment in the reserve and the pension might well be divided between the wives, but in a great many, if not in the majority of cases where the man has only one wife, she will be dependent entirely on what she gets in the way of pension, and I do hope the Minister will be able to give us the assurance that at an early date he will introduce legislation to put this right. We realise we cannot make any change at this hour, but I do ask the Minister to give the assurance so that we can go and give the assurance outside that the widows of the native soldiers will have their pensions guaranteed, and at a fixed rate. In clause 17 (5) and clause 28 (1) (c) there is no gratuity. Gratuities are available in respect of the widows and children of Europeans and Coloureds, but no such gratuities are available in regard to the widows and children of Native soldiers. Similarly, in clause 19, on the remarriage of the widows there is no gratuity for the Native widow whilst

there is a gratuity in the case of a European or Coloured widow. Then when we come to the position of the widow of a pensioner, in the case of a European half of the pension will be available for the widow and allowances for the children at half rates. For Coloureds, it is three-fifths of that, but no provision whatever has been made for the widows of Native pensioners. Now how can this possibly be justified, no pension whatever for the widows of Native pensioners? I cannot but believe that the Hon. Minister never appreciated the situation and I am sure he will not allow this Bill to go through with that stigma upon it that there is no provision made the widow of a Native pensioner. Then, Sir, I come to the case of the reputed wife. The Hon. Senator De Villiers referred to this clause. Now it is very easy for us to take a very superior attitude in regard to this question of reputed wives, but we do know that conditions are such amongst Europeans that you have a considerable number of such cases. Probably there are many more among the Coloured, and among the Africans in the towns, there is no doubt, that a great many cases will be found in every town where there has been long conjugal relationship between a man and a woman without a marriage having been solemnised. There is no system of registration of Lobola unions outside Natal and you will find in Johannesburg for example a large number of such unions take place where a man has paid as much as £50 and £60 and more, but there is no registration of that union. That union, unless it can be proved that Lobola has passed, cannot be proved to be anything more than an association of the man and the woman. It must be realised in urban areas that Lobola is in the form of cash and not cattle and the people who are present at such a union are often scattered to the four winds and there is no one to prove that the actual consideration of Lobola passed to make the marriage a customary union, and therefore the elimination of the Native from this clause twenty-two is bound to lead to very great hardship in such cases. Then, Sir, with regard to pensions for parents. It is known to every one in this Hon. House, I am sure, that amongst the Natives the parents are very largely dependent for their upkeep on their children when they get on in years. There is no system of old-age pension. In the case of Europeans there is a maximum of £100 a year, and three-fifths of that for Coloureds, but in the case of Natives all that is available is a gratuity up to £50. There may be nothing at all, but in favourable conditions it is possible to get a maximum of £50. Now we hold that it is most desirable that the parents of a Native soldier should be put in a safe position and should be given a pension as in the case of the other sections. Also, in the case of clause twenty-four pensions are available for the dependants of the other two groups, but a gratuity only in the case of Natives. One can speak at length of these points but I think I have made it clear that these special discriminations will have very serious results and effects upon the Native people. They will certainly have very serious effects upon the minds of the soldiers and their people, and I beg the Minister to give us the assurance that he will do two things. In the first place that he will guarantee pensions for the widows and secondly bring Natives fully under chapter 3, and more especially in respect of the widow of the deceased pensioner. If the Minister will give us that assurance it will ease our minds and make it easier for us to go out and say what the Government has been doing for the welfare of its soldiers. I should also like to ask the Minister to satisfy himself that the definition of "widow" in the Bill is consonant with the definition of wife so that there is no question that the widow under Native customs also comes under that definition. We appreciate very much that for the first time Native volunteers have been brought under a pension scheme. I do not think it is generally realised how little was done for these Natives who volunteered in the last war. It can be said that practically nothing was done - not even their medals did they get. The Hon. Senator Welsh tried very hard to get recognition for them in regard to war medals, and I am very glad to know that there is some hope that that will be put right. One must express one's gratitude that the Government has recognised the rights of native volunteers under this pensions scheme to the extent that those rights have been recognised, but I do want to urge, Sir, that really the time has come when dealing with social measures of this kind - because after all this is a social measure - you simply cannot deal with the non-European people as if they do not belong to the population, as if they are completely step-children of the State. One must recognise the differentiations in the planes of living because they exist, but surely it is necessary that the non-European people should feel that at any rate the principles of a measure of this kind are applicable to them without regard to race or colour. What I want this House to realise is the influences that are being brought to bear upon the non-Europeans to turn their eyes away from loyalty to the State and to hope for salvation somewhere else than from Europeans in South Africa. Those influences are very great. I have witnessed it myself, and I do want to urge the Government to realise that the best way to counteract those pernicious and subversive influences is to show the non-European people they are part of the State as much as we are.

We must let them know that the principles of pension schemes and social welfare measures of all kinds are applicable to them, whatever differentiation may be made in the scales of improvements and allowances. If we do that we will do a great deal of good not only to ~~them~~ but for the safety of the State and the future of South Africa. I appeal to the Hon. Minister to assure us that he will remove these defects to which I have referred in the Bill so that we may assure the native people that the State does regard them as its children and deals with them in equity.

Extract from SENATE DEBATES, No. 8, 13th - 18th April, 1942.

**Collection Number: AD1715**

**SOUTH AFRICAN INSTITUTE OF RACE RELATIONS (SAIRR), 1892-1974**

**PUBLISHER:**

*Collection Funder:- Atlantic Philanthropies Foundation*

*Publisher:- Historical Papers Research Archive*

*Location:- Johannesburg*

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