

TO CATCH A WHALE

By Santana



To-day's Article by Arthur G. Barlow contains a vital message to every South African. He discusses events of the week and says:

Root Out This Peril From Our Midst!

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I HOPE the people of South Africa, particularly those who live in Johannesburg, are going to keep cool and not lose their heads.

The riots on the steps of the City Hall, the attempt at blowing up the synagogue at Benoni, are but excrescences on the surface.

The danger lies much deeper.

There is little use in the Mayor of Johannesburg writing excited letters to General Smuts, as Minister of Justice, or members of Parliament on Rand becoming nervous demanding that something shall be done.

"Something should have been done" a year or so ago.

Had Parliament, including the Rand M.P.s, acceded to the repeated requests made in this column to pass a law making it illegal to attack and insult minorities in the Union, the country to-day would not have been subject to the undesirable happenings of last week.

Parliament, instead of passing such a measure, busied itself and wasted the money of the country discussing constitutional squabbles.

The Cabinet must bear the blame that such a law, on the same lines as that passed in Canada and Holland, was never put before Parliament. Instead of listening to the words of warning they "let things develop." Surely anyone who has half an

eye can see what is happening in South Africa!

It would not seem so. It would appear that the public and many of its leaders are quite blind.

In this page, on November 13, I wrote these lines:

"Let us talk plainly.

"Democratic South Africa is at the present moment confronted with a grave and serious danger.

"If the people of this country allow things to drift as they are doing to-day, the Nationalists, with a Fascist policy, will yet rule the country.

"Let me once again impress

It must not be forgotten that for many months now, leading members of the Nationalist Party in Parliament and out, have, in and out of season, been making speeches attacking the Jews in the Union. Most of these speeches were made to irresponsible hot-heads, young people who do not see further than their noses, and this insidious propaganda has sunk deep into many dull minds.

Thousands of young Afrikaners have been taught by Nationalist leaders that their economic troubles are due to the Jews.

From every Nationalist

By

Arthur G. Barlow

upon the liberty-loving people that a grave menace confronts this country.

I then went on to warn Colonel Stallard, Mr. Walter Madeley, Mr. Hofmeyr and the English that "all democrats should come to the aid of the United Party, to join up with the Party, to fight the danger which is threatening us from without our borders and at our very doorstep."

I finished my article with the following sentences:

We can smash this danger if we go about it in the right way. We can drive racialism, anti-Semitism . . . out of this country.

We can combat and defeat the insidious propaganda of the Nationalists in the Union, and we can break Fascism and Nazism in South Africa into small pieces. But we must be vigilant and active, for eternal vigilance is the price we have to pay for the liberties we enjoy to-day.

platform, during the last election, the cry went out: "Down with the Jews." The cry still goes on from the same platforms.

Added to this, the country is honeycombed with Nazi spies and a good deal of foreign money has been floating about.

Our enemies outside of our borders are most anxious to bring about internal dissension and, for a long time, certain Shirt organisations have been kept in close touch with Nazi organisations and a good deal of the Goebbels propaganda has been used in Southern Africa.

The Jew is always the butt of the attack. When the Jew is beaten the Nazi will turn his attention to the worker and then to the whole of Afrikanerdom.

On March 22, we wrote in the Daily Express, "If those young men who want to wear a party shirt, and the larger class, who would like to smite the Jew, would study what has become of

their kind in Germany, after the murder of the leader Roehm, they would feel and talk differently."

The only way to meet this menace and kill Nazism in this country is by constant propaganda and eternal vigilance.

The liberty loving people must be awakened from their comfortable sleep, the Cabinet must be more active and more vigilant, Parliament must take a hand and protect the minorities, and the people must get behind their leaders and smash Nationalism.

There is no real Nazism, nor any deeply seated anti-Semitism, in this country.

But there is an enormous amount of Nazi and anti-Semitic propaganda, and this propaganda is having an evil effect.

It can be countered, it can be smashed, that is, if every decent-minded citizen takes his, or her, part in the fight.

But, of course, if the people are going to sit still and shrug their shoulders, a rude awakening awaits Afrikanerdom.

The Cabinet should at once: **DECLARE THEIR INTENTION OF INTRODUCING A MINORITY PROTECTION BILL INTO THE NEXT SESSION OF PARLIAMENT.**

BRING THE RIOTOUS ASSEMBLIES ACT INTO FORCE.

SMASH THE SHIRT MOVEMENTS.

DISCIPLINE SOUTH-WEST AFRICA.

DEMOLISH THE SLUMS, FEED THE PEOPLE AND PROTECT THE POOR.

ROOT OUT THE NAZI NESTS IN THE UNION.

LET THEM GRASP THE NETTLE NOW AND PULL IT OUT BY THE ROOTS. OTHERWISE THERE WILL BE CHAOS.

The Star
29/11/38
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**RESOLUTIONS
BY NATIVES**

**PASSPORTS AND
TAXES**

**END OF COUNCIL
MEETING**

The Native Representative Council adjourned to-day after a session in Pretoria lasting seven days.

In closing the session the chairman, Mr. D. L. Smit (Secretary for Native Affairs), said the discussion had illustrated how useful the council was.

"There is perhaps a desire on the part of some of us to hasten too quickly and to expect big things at once," he said, "but we must take the long view and ensure the sympathy of the European population, without whose help we cannot progress, by showing good sense and moderation in the resolutions we submit to Parliament."

HELPFUL DISCUSSIONS

They had been called upon to perform one of the most important functions entrusted to them by Parliament—the consideration of proposed legislation affecting the native people—and their discussions had been most helpful in bringing to the notice of the Government the views of the people they represented.

"There is just one thing I should like to add. A great deal has been said during the debate about education. In their desire for education there is, I think, on the part of the Bantu a tendency, in attaching due importance to the white man's culture, to overlook that the Bantu themselves have a rich heritage in their own culture."

"Mr. Junod in his recent book pointed out that the foreign elements brought by Western civilisation should be introduced with due respect for the Bantu heritage and, in the sphere of education, while making full use of all that is practical in European standards, we should remember also what is best in Bantu culture and thus preserve to the native his soul."

Mr. W. W. Ndlovu moved a vote of thanks to the chairman.

PASSPORT QUESTION

There was a reference to the recent refusal of a passport to a young native who wished to go to America when Mr. T. G. Baloyi moved "that this council resolves that no unnecessary discrimination should be shown against natives in the issue of passports to those who wish to go overseas, and have the financial means."

Mr. H. V. Slope Thema said the young man had been chosen to go to a peace conference in New York, but was not allowed to go because the authorities suspected Communism.

"Now, among those connected with this conference was the Archbishop of York and I do not think he could be accused of being a Communist. The young man is the head of a secondary school in Pretoria and perfectly respectable, and he wanted to go to America for an important purpose. It seems very unfair to us that he should have been prevented from doing so."

Mr. Smit said he knew of the circumstances of the case. The only consideration on the part of the authorities in granting passports was the ultimate welfare of the native people.

There was never any objection to granting passports for "legitimate" purposes and recently several had been granted to students and others.

"But we cannot permit young natives to go overseas when there is a danger of their coming under poisonous influence. It was the consideration which weighed with the Government in the case of this young man. There is no discrimination without good reason. Information was obtained from reliable channels which indicated that it was most undesirable that the young man should go and so a passport was refused. No passport will ever be refused, however, to respectable natives who wish to go overseas for legitimate purposes."

Mr. Baloyi's resolution was carried. The council categorically rejected a request by the Chamber of Mines to consider allowing native youths between 16 and 18 years of age to be employed on surface work on the mines.

Members protested against attempts to draw young men away from their homes at so early an age and pointed to the evil influence to which they were subjected in urban areas.

A motion was carried refusing to agree to such employment, and an amendment suggesting that the restriction should not apply to natives accompanied by their guardians was defeated.

TAXATION

A resolution was passed asking for the abolition of the general tax levied on natives under the Native Taxation and Development Act, which was "neither just nor equitable in its incidence" and suggesting that it should be replaced by a tax "based on a reasonable proportion of the taxpayer's income," as was another asking for the extension of the individual franchise to African women in the Cape Province.

Other resolutions passed by the council before the adjournment asked, among other things, for better salaries for chiefs and headmen and for natives employed in commerce and industries, for compulsory examinations for interpreters in native languages in the Magistrate's Courts, for free travelling facilities for natives under contract to the gold mines and for loans for natives for the purchase of holdings and the building of homes.

The council asked also that the maize levy should be withdrawn in the native reserves, that crippled and other incapacitated natives should be assisted by the Government and that the dog tax should be reduced.

A resolution asking that the council should be consulted in the appointment of Senators who were chosen for their knowledge of the wishes of the coloured races, and another asking that certain Europeans who "constituted a regular menace to the native community" should be deprived of the right to own firearms were withdrawn.

On the subject of the latter resolution Mr. Smit said that if members had any specific incidents to complain of they should bring them before the council.

The council decided to send a vote

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of sympathy to the Regent, Mr. ka Dinizulu, Paramount Chief of Zululand, who is ill with influenza.

Mr. H. C. Long, Chief Native Commissioner in Natal, said they all sympathised with the Regent in being compelled to stay away from the season and wished him a speedy recovery. They owed the Regent a deep debt of gratitude for the support he was always ready to give them in carrying out their administrative duties. If it were not for his assistance their task would have been a very difficult one during the recent outbreak of foot and mouth disease.

The Star

JOHANNESBURG, DEC. 21, 1938.

THE PASS LAWS

Among many matters not dealt with when the Act of Union was drawn up were the pass laws at that time operative in the four Provinces. Nor has Parliament's attitude towards those laws undergone any modification since then, in spite of nearly thirty years of increasing native education and the steady absorption of the native in the economic life of South Africa. The other day the Johannesburg Joint Council of Europeans and Natives, in a memorandum for submission to the Native Affairs Commission, raised once again issues that have been the subject of frequent representation to past Governments. The council suggests the repeal of all existing pass laws and the substitution, under a Native Registration Act, of an identification certificate, somewhat similar to a passport. Such a certificate would establish at once to all persons legally entitled to demand it the identity and place of origin of the native holder, and would (as a pass does not do to-day) prove a guarantee of identity. The memorandum also recommends, in the meantime, exemption from the pass laws of natives who have a Standard 6 certificate, registered native voters, and native women; and it pleads that some such simplification of the present processes would promote a much better relationship between the natives and the police.

These proposals are not new. Similar ones have been made many times before by leading officials of the Native Affairs Department, as well as by politicians and publicists. At the time of Union representations to the Imperial Government on the pass laws were made unsuccessfully. In 1912 and 1913 native petitions from the Free State urging a reform of the laws were equally unsuccessful. In 1920 a Government commission was instructed to study the whole question of pass laws, and, though it declined to recommend their abolition, it did agree that they should not be used to restrict a native's movements but merely to identify him. To this extent at least its findings were akin to the suggestions advanced to-day by the Joint Council, and were sufficiently favoured by the Government for a Bill embodying these reforms to be introduced into Parliament in 1925, only to be jettisoned with various others at the end of the session.

Meanwhile the case for amendment, if not complete abolition, of the pass laws is to-day stronger than ever. The only justification for any native pass at all is on the score of identification: a truth admitted by the commission which reviewed the problem eighteen years ago. At one time there may have been a *prima facie* case for an elaborated system when the aim was the restriction of the movements of natives. Since then the native has been encouraged, as much by European influences as by his own economic urge, to move from place to place where his labour is in demand. But always the confining fetters of the pass laws have riveted on him a sense of servitude. These laws hamper him as much on his lawful as on his unlawful occasions. Their too often harsh administration leaves a sense of unfairness and keeps alive a feeling of latent antagonism towards the police. Their operation opens the door to abuse and is specially resented by those members of the native community who are decent, industrious and law-abiding, and who hope, by the development of these qualities, to be emancipated sometime from conditions that were devised originally for a native population far less advanced than many of its members are to-day.

The reforms that the Joint Council are advocating have nothing in them that can possibly disturb the security of a European society that employs a great deal of necessary native labour. The chief essential in a mixed community is that the individual native shall be identified as simply and as completely as possible, so that the law, or the Native Affairs Department, may know his place of origin and his antecedents, and decide as promptly as possible if he has any title to be where he is at any given time. To demand of each native he should carry a dossier of permits against the eventuality that any one of these might suddenly be demanded of him is to postulate that he is a "suspect," rather than a law-abiding subject. Nor must it be forgotten that one of the chief evils of the pass system to-day is the manner in which it converts lawfulness of casualness into a crime

Thousands of natives have made their first acquaintance with Union prisons because of some trifling offence against the pass laws that a less rigid and arbitrary system of registration would never have occasioned. Still more passes would inevitably mean still more offenders, writing or unwritten. Might not fewer passes and a little more trust breed greater contentment and a more willing co-operation between the law-abiding natives of the Union and the white man for whom they work?

RAND DAILY MAIL, THURSDAY, JANUARY 19, 1939.

CAPE U.P. CONGRESS EUROPEANS' DUTY TO KEEP TRUST OF NATIVES

—SENATOR FOURIE

SOUTH AFRICAN PRESS ASSOCIATION

De Aar, Wednesday.

WHEN the United Party Congress of the Cape Province resumed its session in the Town Hall this morning, greetings were conveyed to the delegates on behalf of Natal by Senator Brisker, of Durban.

The hope that the principle of the manifestoes recently signed by General the Hon. J. B. M. Hertzog and Dr. the Hon. D. F. Malan would be observed by the members of the political parties so that there might be a better spirit in South African politics was expressed by Senator the Hon. A. P. J. Fourie, Minister of Railways and leader of the United Party in the Cape.

Senator Fourie said it was the duty of the Europeans to behave in a manner which would enable them to keep the trust and respect of the natives. It was easy to sweep one section off its feet with sentimental appeals—appeals to the emotions and not to the intellect.

In the United Party the Afrikaners, on the one hand, realised that the English-speaking section was here to stay and was entitled to preserve its traditions, language and customs, provided that the seven points of Fusion were observed. The same applied to the English-speaking South Africans' attitude to the Afrikaner. The United Party faced facts and therefore believed in co-operation. The presence of the non-European races made it doubly dangerous for white South Africans to indulge in stupid fights.

Senator Fourie said that Dr. Malan had once honoured the seven principles of Fusion, but his followers had since compelled him to betray his standpoint and contradict himself.

DOMINIONITE DOOM SEALED

Bringing greetings from Natal, Senator Brisker, of Durban, said that unfortunately the Cape and Natal supplied the largest opposition to the United Party, but he believed that in Natal the fate of the Dominion Party was sealed. There was no room in the country for the principles of the Dominion Party. (Applause). He believed that if another election were held the Dominion Party would secure no more than two seats in Natal. The Nationalist and Dominion Parties offered South Africa no future.

Speaking for the party in the Free State, Mr. J. J. Grobler, of Rouxville, said that General Hertzog and General the Rt. Hon. J. C. Smuts had done magnificent work between 1923 and 1938, the highlight of which was the Status and Seals Act. General Hertzog had devoted his life to enable the Afrikaner to discard his inferiority complex, and his aim had been to establish equality between the white races.

RUMOURS ALLEGED

The Hon. H. G. Lawrence, the Minister of Labour in a short address referred to insidious rumours about splits in the Cabinet, which were designed to disintegrate the United Party. He had heard that General Hertzog and General Smuts did not greet one another and that at the last meeting in Pretoria there had been "such a row that coats had almost been removed". He was supposed to have supported General Hertzog and approved General Smuts. It was hardly necessary to say that there was no truth in these underground rumours.

Having failed to move the United Party on the ground of its policies and achievements, new weapons were being chosen by a certain section to attack the Party. The attempt could not succeed because the goodwill in the Party was too strong.

Mr. Lawrence urged that the Party in the Cape should rehabilitate its organisations and be vigilant.

In conclusion Mr. Lawrence said that though the Government was not concerned with other nations' forms of Government it was jealous of the democratic system and would strongly resist any attempt to break down that system here.

UNOPPOSED MOTIONS

The congress adopted two unopposed motions expressing strong disapproval of the "petty bad taste to which political jealousy had brought the Opposition in objecting to an invitation to the Prime Minister to lay the foundation stone of the Voortrekkers Monument."

A motion proposed by Mr. P. J. du Plessis, M.P. for Vryburg, laid the blame for "that insult to Afrikanedom" at the door of the Opposition. A resolution proposed by Mr. Paul du Toit, M.P. for Paarl, thanked General Hertzog for his "self-sacrificing attitude" and the Government for making the celebration a great national one and giving a large financial contribution.

SENATOR FOURIE RE-ELECTED

Senator Fourie and Senator A. M. Conroy were unanimously re-elected chairman and vice-chairman respectively of the party in the Cape. The motion was adopted with three cheers.

Five district committees submitted a resolution expressing the opinion that the native poll tax should not be levied on those natives who could prove that they had worked on a farm for at least 12 months. Speakers said that the object of this was to encourage natives to work on farms and to stimulate the circulation of money. It was declared that natives

earning £6 a year had to pay one-sixth of their earnings in tax. Although some farmers paid the tax for their native employees, others could not afford to do this. The natives on the farms received nothing in return for the tax as their children were not able to obtain an education on the farms. This resolution was supported by Mr. Louw Steytler, M.P. for Kimberley District.

CAUSE OF CONFUSION

Replying to the Hon. H. A. Faagan, Minister of Native Affairs, said that as report of the Native Labour Commission was expected shortly he did not wish to commit himself. To impose a native income tax would cause confusion. Further, if farm labourers were exempted, millers and diggers would also claim exemption for their natives. The poll tax brought in £1,350,000 a year, which was used for essential services. If the Department lost £400,000 as the result of the exemption of native farm labourers it would be placed in a quandary.

Touching on the new system of tax collection which was now being tried, Mr. Faagan said that the natives would be given ample notice and would be able to pay in instalments. He believed that this would ease their position considerably.

TEACHERS' RESOLUTIONS

Four resolutions were introduced dealing with the political activities of teachers in schools and of professors in the universities. All the resolutions asked the Government to take steps to prohibit teachers from introducing politics and racialism in schools.

A resolution submitted by Calvinia proposed that public servants and teachers who made propaganda against the Government should be dismissed immediately. The speakers stressed that they did not wish to deny the right of political freedom, but they wanted to prevent the abuse of this freedom.

The delegate from Hofmeyr declared that he knew of teachers who had asked pupils not to read pro-Government Afrikaans newspapers because the Government was associated with "Englishmen, Jews and coloured people." The children were advised to read only the Opposition paper.

INQUIRY URGED

Another delegate urged that to clear up the position, the Government should appoint a commission of inquiry.

Mr. Morris Alexander, M.P., who suggested that the resolution should be referred to the Government, said that most of the teachers, especially in the cities, were content to leave politics alone during school hours. There was a law to discipline public servants, but there was no control over teachers and professors. He said he knew of cases in which Jewish children had been humiliated by teachers who had taunted them with what was being done to the Jews in Germany. To secure uniformity in the position of public servants, teachers and professors, the congress should refer the resolutions to the Government for investigation.

Mr. D. T. du P. Viljoen, M.P. for Victoria West, emphasized that there was no intention to accuse the teaching profession as a whole, or to curb political freedom. He urged delegates who knew of teachers who abused their position to refer these cases to the school committees or teachers' associations.

NO RIGHT TO ABUSE TRUST

After a long discussion, Mr. Faagan replied. He said he would be glad if congress did not pronounce a verdict on the subject, but referred the resolutions to the Government as Mr. Alexander had suggested. Parents were compelled to trust their children to the care of teachers, and the teachers had no right to abuse that trust. The matter was engaging the attention of the Government.

On the motion of Mr. A. Jonker, it

Continued in column 4

BURG, MONDAY, FEBRUARY 13, 1939.

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have the fullest sympathy with the impoverished white men of South Africa in their stern fight for existence, but that fight will never be won by keeping the black man and the coloured man in economic subjection. If we push these people down, they must inevitably drag us with them.

Rand Daily Mail

MONDAY, FEBRUARY 13, 1939.

**PARTY
BAIT
IN
DISGUISE**

In a statement published elsewhere in to-day's issue of the *Rand Daily Mail*, the South African Institute of Race Relations pleads with one of our political parties to withdraw the so-called "colour" petition which it is at present circulating throughout the length and breadth of the Union. This petition is the product of the "purified" Nationalist Party, which boasts proudly of its authorship. The inspiration for it was Dr. Malan's speech at the Voortrekker celebrations on December 16, when he painted a grim picture of white South Africa, "meeting" the non-European at the new Blood River, half armed or completely unarmed, without an entrenchment between them, and without the protection of a river—defenceless in the open plains of economic equality."

The object is equally apparent. Indeed, the Nationalist Party has for some weeks past been congratulating itself through its Press on the generous reception which has been accorded the petition by "loyal" members of the United Party. It even goes so far as to hold up this mischievous document as an enduring basis for the reconciliation of Afrikaans-speaking South Africa.

We can only suppose that this is considered good politics—the kind of shrewd propaganda for which the Malanites as a party are noted. But what a pitiful sequel it is to the fine sentiments expressed in the "unity manifesto" barely two months ago! For more years than most of us can remember, the unfortunate non-European has been a pawn in the white man's political game. Between 1926 and 1936, there was scarcely any "issue" so mercilessly exploited as this. Elections were fought about it and in due course it gave rise to the notorious "Black Manifesto." In 1936, when the Prime Minister's Native Bills found almost unanimous approval in Parliament and when the natives of the Cape gave up their franchise for the sake of a long-promised truce, it was confidently believed that the "black bogey" had been relegated at last to the limbo of forgotten things.

But it was not to be. Ever since the solemn compact of 1936, the Nationalist Party has been engaged in reviving the old prejudices, and to-day it is not merely the native who inspires their phobias: the Asiatic and the coloured man have been dragged in as well. They, too, must be politically and economically ostracised. It is difficult to say where it will end. Already the Institute of Race Relations, whose authority is beyond question, discerns a disastrous embitterment of feeling between Europeans and non-Europeans in South Africa. That, of course, is inevitable; but it is the tragic futility of it all that impresses us most forcibly. We

SVAAL, TUESDAY, FEBRUARY 14, 1939.

The Star

JOHANNESBURG, FEB. 14, 1939.

THE COLOUR PETITION

The Council of the S.A. Institute of Race Relations has sounded a grave warning that the non-European problem in the Union is soon to become one of the major issues of the session. The more immediate matter on which the feeling of the House will be tested is the extent to which the Feetham recommendations regarding Asiatic occupation in Johannesburg will be implemented. Last session there was a possibility that the necessary resolution might have been passed. To-day, says our Capetown correspondent, there is hardly the faintest possibility of its going through. "The Feetham report," he says, "is dead." With the Feetham Report controversy is being linked the far wider issue of residential segregation generally, with the Nationalist Party in the Cape taking the offensive in a campaign for something tantamount to class areas legislation for non-Europeans in the Cape Province. That this aim is not restricted either to the Nationalist Party or to one Province only is revealed, moreover, in the terms of a notice of motion by the United Party member for Klip River, in Natal, who asks for segregation for coloured town dwellers. That Mr. Friend's notice of motion is merely a private member's view is of less importance than that it is thought to be symptomatic of an attitude of mind that is steadily gaining strength in other than Nationalist circles.

These are specific examples of the temper underlying the colour petition that is at present being circulated among members of the Nationalist Party. The petition, addressed to the House of Assembly, asks for a wide range of segregative legislation, not only in respect of mixed marriages, but in regard to residential contiguity and economic as well as political separation of Europeans and non-Europeans. Whatever the motive moving those who sponsor such proposals, the evil implicit in them is very real. The non-European four-fifths of the Union's population cannot be deported or exterminated, but there are two repressive alternatives. The one is the compulsory and complete segregation of these people from all European contacts, so that they neither sell the white man their labour nor buy the product of his—in which case our own economic self-sufficiency would collapse like a pricked balloon. The other is the adoption of helotry as an approved white South Africa creed. Such helotry would not only deny to the non-European even the most remote hope of economic, political and educational emancipation. It would unite in hostility to the white man everyone not of European ancestry, creating such an explosive content in the midst of our white complacency as would find us living more and more dangerously on the side of a volcano.

That so-called thinking men should purposely try to create such a position in the Union of South Africa almost passes belief. That such a policy should be pursued in the interests of white civilisation which, if it is not to perish from the earth, must derive its consent from just and humane dealings with those coming within its orbit, is as little understandable. Even judged from the standpoint of expediency, such proposals will defeat their own aims whenever they are applied. Nor will any segregation barriers stop knowledge seeping through to those non-Europeans who thirst for it. But that knowledge hereafter will be used to foster and quicken sullen resentments towards those who have shut the coloured man off from the slender hopes he clings to to-day; and the foundation of our own future civilisation in this country will be based no longer on justice, but on hate.

NESBURG, TRANSVAAL, FRIDAY, FEBRUARY 17, 1939.

"BLACK SPOTS" IN EUROPEAN AREAS

SUMMARY

NATIVE LAND AMENDMENT BILL IN PARLIAMENTS EXPLAINS WAYS OF EXPROPRIATION

The third readings were taken in the Assembly yesterday of the Cannon Island Settlement Management Bill, the Agricultural Produce Export Act Amendment Bill and the Agricultural Schools Transfer Act Amendment Bill.

The Woodcutters' Annuities Bill passed through the Committee stage.

The House adjourned while the second reading of the Native Trust and Land Amendment Bill was being debated. The expropriation clause of the Bill was supported by the Nationalist Party, but opposed by the native representatives, who urged that the Bill, as it emerged from the Senate last week, be sent to the Native Representative Council.

CLERICAL STAFF.

The SPEAKER: I assure the hon. member that the rules are for the guidance of members generally.

WOODCUTTERS BILL

The Third Readings of the Cannon Island Settlement Management Bill and the Agricultural Produce Export Act Amendment Bill were carried and the House went into Committee on the Woodcutters' Annuities Bill.

The MINISTER OF AGRICULTURE and FORESTRY (Col. Collins) moved an amendment to substitute a new clause 1 for the existing clause in order to make the payment of annuities of £25 to registered woodcutters obligatory until the age of 65.

Mr. WERTH (Nat. George) moved amendments to make the annuities payable only to those woodcutters who applied to be removed from the list of registered woodcutters; to make the annuities payable until the woodcutters became entitled to old age pensions instead of until they reached the age of 65 and to limit the Minister's right to cancel annuities to cases where the woodcutters concerned caused bush fires.

The MINISTER submitted to the chairman that Mr. Werth's amendment was out of order in that it changed the principle of the Bill as it emerged from the second reading.

The Chairman ruled that the amendment was in order. MR. VAN DEN BERG (Lab. Krugersdorp) moved an amendment to delete any reference to an age limit for the payment of annuities and any reference to the cancellation of the annuity on the grounds of contravention of the Forestry Act.

Mr. van den Berg's amendment was ruled out of order. In reply to Opposition requests, the MINISTER said he was prepared to accept an amendment to the effect that the theft of timber and not "forest produce" should be a ground for the withdrawal of an annuity.

The Minister's amendments were accepted and that of Mr. Werth voted down. The Committee stage was passed, and the Bill set down for consideration on Monday.

AGRICULTURAL SCHOOLS

Moving the second reading of the Agricultural Schools Transfer Act Amendment Bill.

The MINISTER OF EDUCATION (Mr. Fagan) said the object of this measure was to extend the provision of the Agricultural Schools Transfer Act of 1927. With the growth of vocational training it was decided in 1925 that the Union Government should take over from the Provinces the technical colleges, trade schools and agricultural schools. The vocational schools continued to develop, but certain agricultural schools did not progress so well as had been expected, and it was decided to link them with Provincial education which was done by the Act of 1927. Since then, however, it had been discovered that there was another agricultural school, which the Free State Administration was prepared to take over, and the Government now wanted to make the Act wider so that future amendments would be unnecessary.

The proposal was that the Governor-General, by proclamation, might hand over any agricultural school from the Union Education Department to the Provinces.

The Bill passed the second reading, and the Committee stage was taken immediately, no objection being raised to this course. The Bill was read a second time and taken through its remaining stages.

NATIVE BILL

Moving the second reading of the Native Trust and Land Act Amendment Bill.

The MINISTER OF NATIVE AFFAIRS (Mr. Fagan) said that certain restrictions in the Act had, in practice, proved to be against the interests of both agriculture and the natives, and it was desirable to remove these restrictions. The original schedules were drawn up many years ago and it was necessary to have power to alter them to meet changed circumstances. The first clause gave this power—to cease that any released area should cease to be such an area or to excise a certain land from any released area.

In some released areas there were one or two native farms which at present could not be excised, and it was desirable to obtain power to excise such farms and replace them by land adjoining released areas.

The Bill also removed some administrative difficulties. It also enabled his department to take small native locations away from European areas and to substitute corresponding land in released areas, provided both Houses of Parliament approved.

The original Act provided that land acquired by natives after the Act had come into force should not be regarded as part of the quota. The intention had obviously been that this provision should apply to land acquired from persons other than natives, and Section 5 (b) of the present Bill contained the necessary amendment.

"BLACK SPOTS"

Section 7 of the Bill gave the trust the power to remove the so-called "black spots" from European areas. According to the original Act, it was possible to expropriate land belonging to Europeans in the released areas as part of the segregation policy, but not to expropriate land belonging to natives in European areas. Native-owned land in European areas could only be expropriated if specific reasons other than the general one of the segregation policy were given. Yet it was frequently in the interests of both natives and

Europeans that native-owned land in European areas should be expropriated. The trust would not abuse the power given to it by the Bill to expropriate native-owned land in European areas.

Section 5 of the present Bill provided that when native-owned land in European areas was expropriated, similar areas should be released elsewhere.

Section 8 provided for the payment of compensation to Divisional Councils in districts where large areas had been released for native occupation. It had been found that some Divisional Councils had suffered serious loss of income in this way, and they had made representations to the trust for the provision of compensation.

Section 9 provided that when co-operative societies allowed a number of their members to farm on land co-operatively owned, the number of squatters allowed on the land should be calculated according to the number of farmers on the land and not be based on the settlers as a unit.

Mr. ERASMUS (Nat. Moorreesburg) welcomed the proposal to enable the Government to expropriate native farms in European areas.

Mr. BEKKER (U.P., Wodehouse) said that the Bill was merely carrying out the original intention of the Act and it was a pity that there had been such a delay in bringing forward these necessary amendments. What would happen to land thus expropriated from natives? Would it become Crown land? How would Europeans be able to get in?

NATIVES' VIEWS

Mr. MOLTENO (native representative, Cape Western) said that, in its amended form, the Bill was an improvement on that submitted to the Native Representative Council. But the council's objection, which had been embodied in a resolution, still remained. As the Bill had been altered very materially since its original submission to the Council, it would be better, having regard to the functions of the council, to refer the Bill to it again before further consideration in the House.

The Bill proposed to give complete administrative powers of expropriation in the released areas scheduled under the act of 1926. As the law stood to-day, the 1926 schedules could not be expropriated. Until the full quota of 7,250,000 morgen was acquired the power of expropriation would grow and would cover the whole of the vast new areas—subject to administrative action.

The only remedy the expropriated owner would have would be to seek a Court interdict, but what sort of an order the Court could make was somewhat puzzling. The security given to the victim of expropriation was whittled away by the fact that the trust could add what conditions it liked to the land it provided.

He moved an amendment, "That this House requests the Minister, before proceeding further with the Bill in its amended form, to refer it to the Native Representative Council for consideration and report."

MR. HEMMING

Mr. HEMMING (native representative, Transkei) said the question of scheduled areas was first dealt with in 1917 and was confirmed in 1926. The question of these "black spots" must have been in the minds of the legislators when the Act was passed. What would the natives think if Parliament now changed something that had been in force since 1917?

The Native Representative Council was given the Bill to consider only a day before it met. That was surely not consideration which the Act contemplated. The time had now arrived to allow those men who had been appointed by the Government as the highest native council in the country to consider the proposed legislation.

Once Parliament had given the power of expropriation it might be used at any time, and with people of other views in power an entirely new policy might be followed, greatly to the detriment of the native. Some of the land allocated to the natives to-day was very fertile. There were many cases in which land had been held by natives for more than 100 years and these natives should receive consideration.

United Party Members: What about the Europeans? Mr. HEMMING: Don't forget the expropriation of European land is to carry out the policy of the white men.

CONDITIONS OF TENURE

Mr. Hemming said the native whose land was expropriated was tied down as to where he was allowed to buy land. The Bill provided that the conditions of tenure for the land should be similar in so far as practicable to the conditions of tenure of the expropriated land. The word "similar" gave the Government enough protection and he hoped that if Mr. Molteno's amendment was not accepted, the Minister would consider deleting the words "in so far as is practicable."

The Bill also allowed the trustee to lay down conditions it might deem expedient. The power given under this provision was much too wide. The trustee also had discretion regarding where land was to be bought and regarding the valuation of the land. This provision was dangerous where it was proposed to expropriate land which had been held for long periods the owner should have some say.

The native representatives had no, yet had an opportunity of discussing the amended Bill with the council.

Mr. GILSON (U.P., East Griqualand) moved the adjournment of the debate, which was accepted, resumption being set down for Monday. The House rose at 8.45 p.m.

SBURG, TUESDAY, MARCH 14, 1939.

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Rand Daily Mail

TUESDAY, MARCH 14, 1939.

**THE
REAL TEST
OF
DEMOCRACY**

Mr. Hofmeyr who has rendered many good services to South Africa, has rarely done a better one than by his inaugural speech at the University of the Witwatersrand on Saturday.

One passage in particular should be commended to the careful attention of the public. What are the essential elements in democratic freedom? Mr. Hofmeyr asked, and of the two with which he dealt, the first was "freedom to criticise."

"It is a natural fallacy," he said, "to confound democracy with majority rule." But the real criterion is different: "The test to determine whether a Government is democratic is not the extent to which the majority approves of it, but the extent to which the minority is free to criticise it."

That distinction cannot be too often emphasised at the present time, when so many attacks on democracy are based upon precisely that confusion of thought which Mr. Hofmeyr indicates. Majority rule is no doubt open to abuses and, in certain circumstances, may have very unfortunate results. But between majority rule, as such, and dictatorship there is an enormous difference of principle in that the majority governs by attaining the approval of its supporters in spite of criticism, whereas one of the dictator's first acts is to suppress all attacks on his policy. The two principles may be seen at work at the present time. Mr. Chamberlain, for example, has an enormous majority in the House of Commons, just as General Hertzog has in the House of Assembly, and in both cases the wishes of the minority are often disregarded. But they are nevertheless expressed, and that fact constitutes the essential check on which democracies depend. So long as criticism is possible, then many abuses are impossible; and it may well be stated that, where a Parliamentary body enjoys a large majority, there, more than elsewhere, is it necessary to give critics the greatest possible freedom.

Few rulers, however, think like that. Their own task is heavy, and, like lesser men, they are only too apt to put down all criticism of their actions as not only wrong, but malicious. Moreover, a great deal of power being already in their hands, they are often tempted to go further, arguing that, since this criticism is so objectionable to them, it ought to be suppressed.

It is on that point, and not upon the question of majority rule, that the coming battle will be fought. The authoritarian way is the easy way; it absolves the ruler alike from the need to listen to opposing arguments and to face the conse-

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DR. MALAN'S

SCHEME

"HERENICING"—

1924 MODEL

REPUBLICANISM
IN BACKGROUND

S.A. PRESS ASSOCIATION—REUTER

STELLENBOSCH Monday.—Dr. D. F. Malan, leader of the Nationalist Party, discussed the bases for "hereniging" of Afrikaners recently put forward by Dr. Albert Hertzog and certain professors at Stellenbosch University at a Nationalist picnic at Stellenbosch on Saturday.

Dr. Malan said that he could not agree to the formation of a new political party, but felt it was possible for people who thought the same as the Nationalists on everything except republicanism to co-operate with the Nationalist Party in solving urgent national problems.

"As was the case with the Labour Party in 1924," he said, "we are to-day prepared to negotiate with any other party who want to work with us on condition that we remain free to agitate inside and outside for a republic."

Dr. Malan also spoke at length on segregation, and criticised the Government for contemplating half measures. The Nationalist Party, he said, demanded full segregation, residential, political and social.

SEGREGATION

Dr. Malan said that on major national issues, such as segregation, the Jews and poor whites, he differed very slightly from the Albert Hertzog basis of the north and the professorial basis of Stellenbosch.

"Where I do deviate from the path is on the question of a republic and on the approach to the attainment of that ideal. In the programme of principles of one of them however, the founding of a new party is advocated which would lead to further disintegration; also, an important amendment of the republican idea is advocated which would have the same result. Here I differ strongly from them. My proposal is that the Nationalist Party should remain the Nationalist Party. (Cheers) It is on the right course. It has done nothing which might indicate a deviation from the Pad van Suid-Afrika or the Voortrekker ideal."

Outside the Nationalist Party there was a great section of Afrikaners as well as English-speaking people who agreed with the party in most of its programme, but who did not support the party because of its attitude towards republicanism. Evidence of this was the support which Mr. Louw's Allens Bill received in Parliament. Although they did not support it in the House, many United Party members, and even Ministers, expressed themselves not averse in the Lobby.

At Sea Point, where he lived, said Dr. Malan, a segregation petition had been circulated and he had noticed that 90 per cent. of the signatures were those of English-speaking people. The man canvassing for the petition said that he had not met one English man who was not ready to sign. (Cheers) The only people who refused to do so were Afrikaners, for political reasons. (Cries of "Shame")

DR. MALAN'S PROPOSAL

"Our proposal for the solution of the question, 'How shall we mobilise South Africa to deal with these urgent national questions?' is that we should invite all people thinking alike with us on everything except republicanism to work with us to this end. The Afrikaner would still find his haven in the party for it would not change its programme. We should agree that although we could continue to make propaganda for a republic, we should not take active steps to bring it about with the support of these people who were co-operating with us. When the time came for a republic we would leave it to a national plebiscite for a decision."

Dr. Malan recalled that in 1924 the Nationalists obtained the co-operation of the Labour Party on a similar basis and urged that a similar coalition could be effected to-day between the Nationalists and all other groups working for a practical solution of national problems.

"There would be a spiritual revolution in South Africa. Party interests, as party interests before everything else, must be put aside. Loyalty to a leader and self-interest must be put away. The only interest which must engage us is 'volkslewing'. We must work together for a solution of the national problems which threaten the destruction of white civilisation in South Africa. We must listen to the appeal of the poor whites and by co-operation, achieve our aims."

RESOLUTIONS

The gathering unanimously passed a resolution identifying itself heartily with the segregation policy of the Nationalist Party, "because it was the only policy which, carried out thoroughly, could safeguard the position and the future of the white race in South Africa and which would, at the same time, institute, instead of friction, free and healthy relations between Europeans and non-Europeans."

The meeting further pledged itself to support petitions in the country urging the Government to carry out a thorough segregation policy. Pleasure was expressed that the petitions were being signed not only by Nationalists but by both Afrikaners and English-speaking people outside the Nationalist Party.

The resolution concluded with the statement that there must be no half measures in dealing with the segregation problem, and that they must have nothing less than residential, social, economic and political segregation between Europeans and non-Europeans.

(News by C. S. Morgan and H. E. O'Connor, New Zealand House, Burg Street, Cape Town.)

RAND DAILY MAIL, TUESDAY, MARCH 21, 1939.

CRISIS DEMANDS STATEMENT OF POLICY, SAYS MR. HOFMEYR

Budget Criticism: Nothing for Poor Man or Consumer

SOUTH AFRICAN PRESS ASSOCIATION

Press Gallery, House of Assembly, Capetown, Monday.

IN this time of crisis the moment was opportune for the Prime Minister to take the country into his confidence on foreign policy, said the Hon. J. H. Hofmeyr in a brilliant speech during the Budget debate to-day. South Africa could not avoid the issue between democracy and dictatorship and should speak with a firm voice.

Among Mr. Hofmeyr's criticisms of the Budget were that Mr. Havenga had not devoted some of the surplus to reduction of the national debt, the natives would have to pay for their social services out of their own taxation if the Minister's plans matured, there was very little indication of an intention to expand social services, there were no benefits for the poor man and nothing even in the way of a gesture of relief for the consumer.

Mr. L. Blackwell warned the Government against the rising tide of State expenditure.

The Hon. J. H. HOFMEYR (U.P., Johannesburg North) said that the Minister of Finance had departed from the strict rules of financial orthodoxy in not applying some of his surplus to the remission of debt.

The agricultural scheme, the additional income tax rebate, defence expenditure, Imprest's licence and an additional amount to the Native Trust would cost £2,040,000 on the figures for 1939-40. Without taking account of the fortuitous carry over from the present year the Minister would have £1,290,000 available.

The Minister was using the carried over surplus which could not be expected to recur in order to finance recurrent items of expenditure.

If the Minister's expectations were fulfilled, he would start 1940-41 not merely with a deficit of £200,000 but also with a reduction of £350,000 on the credit side. In other words he would be £750,000 down. If the Budget was upset by overseas developments, the Minister might regret not having put that £250,000 in reserve to meet contingencies, but if present conditions remained unaltered and the buoyancy of the country's revenue continued, Mr. Hofmeyr said, the Minister would have no embarrassment when he presented his 1940-41 Budget.

Commenting on the buoyancy of the national revenue, Mr. Hofmeyr said that last year was a year of recession. The internal situation was difficult and the economic position of the world unstable. On railway accounts the revenue this year was substantially short, not only on last year's revenue but also on estimated revenue this year. So far as finance administration was concerned, this year South Africa would be receiving something like £1,000,000 or more in excess of the estimates.

The receipts of 1938-39 would not be very far short of 1937-38 and that was largely due to the fact that income tax from gold mines was £335,000 in excess of the estimates.

South Africa was fortunate in that its chief revenue producer did not suffer but even benefited from factors which caused a decline in productivity in other industries.

The gold mining industry had proved itself to be the stabilising "flywheel" in the financial structure for 1939-40. The Minister was budgeting for increased revenue and half of it would be derived from the increased yield in income tax from gold mines.

The country could not, and dared not, under-estimate the magnitude of the direct and indirect contribution of the gold mining industry to its financial stability.

"Surely it is of the utmost importance to South Africa that the gold mining industry should continue to be in a position to render such contribution as it is rendering to-day," said Mr. Hofmeyr.

It was of importance that this power of assisting the national economy should be strengthened. Important was the finding of adequate financial resources of essential development—resources which vast sums had been made available, but vast sums were still required and it was not easy to raise money overseas.

Mr. Hofmeyr said he had never questioned the fairness of the present system of gold mining taxation. Mr. R. H. Henderson (Minister without Portfolio) had described it as monstrous, but Mr. Hofmeyr said he would not call it that.

But, Mr. Hofmeyr said, the possibility of easing gold mining taxation to assist in the process of finding capital for the development of industry should be considered. South Africa's financial structure rested largely on gold. The price of gold was no longer fixed, and the present high price could not be expected to continue. There was no imminent danger of a weakening of the foundation, but there were needs which should not be overlooked.

NATIONAL DEBT

Commenting on expenditure on capital account, Mr. Hofmeyr said that last year the National Debt had increased by £17,200,000 and debt charges thereon had increased by £480,000 a year. The Minister budgeted for £2,400,000 expenditure on loan account. In 1932-33 this was £12,000,000.

He gravely doubted whether anyone could suggest any substantial decrease in those estimates. The Minister was wrestling with the fact that commitments would have to be met this year in connection with expenditure incurred in previous years.

The country had to realise that the larger revenue on loan account

could not be continued. In a praiseworthy effort to keep down interest rates, Mr. Havenga had made the rate too low to be attractive to the investor but nevertheless rates in South Africa were hardening.

The Minister would not be able to raise money overseas in the amount they would like to see at the rate of interest at which they would prefer. The rate of interest in London was hardening and the London market was faced with the prospect of digesting an enormous loan for defence expenditure.

"There is another aspect," said Mr. Hofmeyr. "What the investor seeks to-day is security and safety, and he would avoid like the plague a country riven by racial strife and political wrangling. If this continues as it has done recently, our credit overseas is going to be seriously affected."

"It is a significant fact that even in the United Kingdom the commercial banking figures last year revealed an increase of 8.7 million pounds in demand deposits, whereas time deposits dropped by 3.1 million pounds. That, of course, reveals a disposition to hold larger cash balances and reflects a desire for security and greater liquidity."

"If we have regard to the existing state of world affairs, we should keep our national debt and our debt charges as low as we can. Circumstances may arise which may strain our credit to the uttermost in the years ahead. We cannot afford to carry any surplus cash in the form of unnecessary debt charges." Mr. Havenga had been fairly catholic in the distribution of his surplus, but he wished to suggest two alternatives which might have been considered.

POST OFFICE PLEA

"The first is the advisability of giving greater freedom to a business department like the Post Office," said Mr. Hofmeyr. "The Post Office last year showed a profit of over £200,000 and an average profit over the last five years of just over £200,000."

The Post Office is regarded as a taxing machine. The Minister proposes to reduce by £200,000 the rebate on income tax paid by 65,000 of us. The proposal may do much less to stimulate the development of the country than would have been done by applying the money to improving the financial position of the Post Office. The relief to the taxpayer would have been the same, but it would have been of a much more multiplying character."

Except for the help given to the poorer members of the agricultural community, this was not a "poor man's Budget." The £200,000 for income tax rebate could have been much better used to the advantage of the poorer sections of the community. While it remained the policy of the Government—as he believed it must remain—to place the agricultural community on a sound basis, the consumer could expect little relief in respect of either South African commodities or imported commodities.

The Budget contained nothing even in the way of a gesture of relief for the consumer. There was very little indication of an intention to expand social services.

The Social Welfare Vote in reality showed a decrease of expenditure, apart from the money to be saved by abandoning the public housing scheme.

WHAT OF THE NATIVES?

"What of the natives?" asked Mr. Hofmeyr. "On the face of it, the native has not been forgotten. The Native Trust will receive an additional £180,000 conditional upon the transfer of native education to the Government—a condition which the Minister himself will agree may not be fulfilled." The proposal was for the transfer of native education to the Native Affairs Department. If the Native Affairs Department received this extra £180,000, the £340,000 at present paid by the ordinary taxpayer would fall away.

The argument in favour of this project was that native education policy should be part of the general native policy. There might be something to be said for that argument if all natives were living in separate areas from Europeans but nearly half the native population lived, and would continue to live, in the towns.

Their children must be educated to take their place in the white man's economic system. The tax used to meet the needs of native social services was a singularly inflexible one, and in the 1938-39 years it had increased by less than

40 per cent, while the general revenue of the country had increased by over 60 per cent.

"The underlying implication is that the native will pay out of his own taxation for social services," said Mr. Hofmeyr.

It was by no means clear that all of the £180,000 was to go to native education, but a part of it would be used to assist native agriculture, native social services and native health services.

"If the natives, out of their taxation, out of that £180,000, are to make up the leeway in social services, there will be very little left for native education," declared Mr. Hofmeyr.

He hoped that the Government would not place native education under the Native Affairs Department. Such an action would be in conflict with the view of the former Minister of Native Affairs, Senator the Hon. F. G. W. Grobler, the expert opinion of the Inter-Departmental Committee on Native Representation and the view of the Native Representative Council.

The present proposal meant that any prospect of a reduction of this taxation would be indefinitely remote. He demanded acceptance of the principle that the poorest section of the community must pay for its own social services.

OVERSEA CRISIS

Mr. Hofmeyr said that a Budget debate was of the nature of a national stocktaking, and with the development of a new crisis overseas it was necessary that the House should consider external affairs.

In the past the House had shown little interest in external affairs which had not been to its credit or to the benefit of the country. (Hear, hear.)

"It is right that now we should ask the Government to give us a statement in regard to its policy and take the House into its confidence. The policy of our Government in recent years has, as we should expect, been one of peace."

Mr. Duncan Burnside (Lab., Umhlobo) isolated.

We have wholeheartedly supported the policy. From the point of view of her position externally, the Union's primary interest must be peace. During recent months the Government re-endorsed Mr. Chamberlain's policy of peace by appeasement and most of us have recognised that in the circumstances our Government could do nothing else than support that policy.

"But to-day the policy of appeasement lies a shattered wreck. It was launched on a tide of credulity, it has foundered on the rocks of betrayal of solemn assurances—a policy of futility and negation."

"I believe the peace of the world can still be secured if only the democratic nations would band themselves together to resist by whatever means necessary the onslaught of authoritarianism."

Mr. Winston Churchill in a recent broadcast recalled that Alexander once said that the people of Achaia were slaves because they had never learnt to say "no." The world is in its present position because the policy of democratic leaders has not been so strong and firm that they could say "no." Now they should pull themselves together and strongly and firmly say "no." To-day there is a struggle between the principles and ideals of democracy on the one hand and the dictatorship and authoritarianism on the other, and it is futile to say that South Africa can evade that issue. South Africa must assume that position. The Government must tell the people where they stand to-day in relation to that issue.

S.-W.A. IMMIGRANTS INCIDENT

"We have heard of representations made to our Government in regard to its refusal to grant permission for permanent residence to certain would-be immigrants to South-West Africa."

"That might be the prelude to a pretext for picking a quarrel with the Union. In this respect I hope the Government will also take the country and this House into its confidence. Thus our great issue is not only material but also spiritual."

"We are considering a Budget providing evidence of the soundness of our country and it seems to me that the crisis ahead will test our prosperity."

The issue between democracy and authoritarianism is a moral issue and I hope the soundness of South Africa in that respect will also be proved beyond a shadow of doubt."

Mr. Hofmeyr resumed his seat amidst cheers from the United Party benches.

Resuming the adjourned debate on the House to go into Committee to Supply this afternoon, Dr. N. J. VAN

NATIVE COUNCIL SESSION ENDS

30/11/38

THE second annual session of the Natives' Representative Council concluded yesterday. The session, which was held in the Pretoria City Hall, lasted eight days.

In closing the proceedings Mr. D. L. Smit, the chairman, said the session had been an interesting one and the discussions had again illustrated the usefulness of the Council.

"There is just one thing I should like to add," he went on. "A great deal has been said during the debates about education. In their desire for education there is, I think, on the part of the Bantu, a tendency, in attaching due importance to the white man's culture, to overlook that the Bantu themselves have a rich heritage in their own culture. The Rev. Mr. Junod, in his book, has pointed out that the foreign elements brought by Western civilisation should be introduced with due respect for this Bantu heritage, and in the sphere of education, while making full use of all that is practical in the European standards, we should remember also what is best in Bantu culture, and thus preserve to the native his soul."

When the proceedings were resumed yesterday morning the Council rapidly dealt with the remaining resolutions.

Councillor Sukwe moved: "That the Minister of Agriculture be respectfully requested to withdraw the operation of mealle levy in native reserves." This was carried.

A resolution that there should be no unnecessary discrimination natives in the issuing of passports to persons who possess the financial

means and who desire to go oversea was moved by Councillor R. G. Baloyi and was carried unanimously.

MINE WORK REFUSED

The chairman, Mr. D. L. Smit, informed the Council that the Chamber of Mines was anxious to obtain special permission to employ native youths on surface work on the mines owing to the shortage of native labour on the mines. The Council, after some discussion, rejected this proposal, strongly protesting against any attempt to drag native youths from their homes at the early age of 16 years.

NATIVE TAX

Councillor R. H. Godlo moved: "That while this Council is not opposed to any equitable tax levied upon Africans in common with the other citizens of the Union, it is convinced that the general tax levied upon Africans only, under the Native Taxation and Development Act of 1925, is neither just nor equitable in its incidence. Therefore the Government is strongly urged to abolish the general tax and substitute a tax based upon a reasonable proportion of the taxpayers' income." This was carried.

Councillor Godlo moved that: "In view of the recent changes in the franchise laws of the Union, brought about by the enactment of the Representation of Natives Act of 1936, which enabled African women to participate in the election of senators and members of the Natives' Representative Council, this Council requests the Government to extend the individual franchise to African women in the Cape Province." This was also carried.

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Nationalists Want Colour Legislation

Rand Daily Mail
9/12/38
South African Press Association
Capetown, Thursday.

AT the Union congress of the Nationalist Party it was resolved to have a petition signed throughout the Union in an attempt to persuade the Government to introduce legislation to deal with the coloured problem.

In view of the political truce during December, the petition will now, however, be submitted for signature in January. The petition, which was printed to-day and is addressed to the House of Assembly, states that the adult European population of the Union regard the domination of the European race, in the spirit of guardianship, as of vital importance to the future of South Africa and therefore ask that legislation be passed without delay:

- (1) To prohibit all mixed marriages between Europeans and non-Europeans.
- (2) To make punishable as an offence all miscegenation between Europeans and non-Europeans.
- (3) To put a stop to Europeans and non-Europeans living together in the same residential areas, and
- (4) To carry out economic as well as political segregation between Europeans and non-Europeans.

Only Europeans aged more than 21 will be allowed to sign the petition.

REALITIES BIND THE EMPIRE

The anxiety which has been aroused in Britain by Mr. Malcolm MacDonald's speech on Commonwealth relations is a little difficult to understand. It is obvious that the cabled report could give only a condensed account of his remarks, but, even so, there seems to be much to be said for the view, expressed in the House of Commons, that the address was "a well-balanced and helpful statement."

Nothing, indeed, is to be gained, and much is to be lost, by refusing to face all the facts of Empire relationship. It is perfectly true, as Mr. MacDonald said, that some Dominions are anxious to demonstrate that they have attained their majority, and that they have "been bitten rather badly by nationalism." That seems to us to be almost an inevitable consequence of the abandonment of the older theory of Imperialism, which meant simply the domination of weak peoples; and it is the duty of statesmen to consider all its implications without regard to the question whether they are agreeable or not.

Actually, however, there seems to be little reason to anticipate any of the unfortunate possibilities which Mr. MacDonald mentioned, presumably in order that the matter might be considered in the clearest possible light. The disintegrating forces within the Empire are more than counterbalanced by the realities of a world situation in which the old ideas of conquest so evidently still play a great part, and the links between Britain and the Dominions are none the less strong because they are legally less rigid than before.

"I have watched the Dominions and this country come through crisis after crisis together," says Mr. MacDonald. "... I have been amazed at their capacity, indeed at their instinct to get together in time of crisis and work together." There is really no reason to anticipate that this practice will disappear in the near future. In fact, the probability is all to the contrary, for hardly ever has the necessity for small nations to assure themselves of the strongest possible support been so clear.

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**NATIVE PEOPLE'S
CONGRESS
CHANGE IN UNION'S
POLICY SOUGHT**

Dec 20th 1938

BLOEMFONTEIN, Tuesday.—When the African National Congress resumed its sitting in Bloemfontein yesterday it was resolved to make a determined effort to fight for a radical change in the basic principles on which the native policy of South Africa is founded, with a view to having the whole of the present native legislation changed.

The congress will struggle for the elevation of African people from mere labourers to their rightful place in the national life of the country. They aim at citizenship, in which will be contained all the usual rights, privileges, duties and responsibilities such as the franchise rights and the right to take part in the management of the affairs of the country.

The congress will also investigate the causes of the prevailing malnutrition.

—S.A. Press Association.

DESERVING

SVAAL. TUESDAY, FEBRU

The Star

JOHANNESBURG, FEBRUARY 7, 1939

GOVERNMENT LAND PURCHASES

A statement appeared last week that landowners in a part of Natal which has been scheduled under the Natives Land Act are impatient for their holdings to be taken over. This is not surprising, in view of the high prices which have been paid for land elsewhere, as shown in the report of the Auditor-General on the purchases for the Native Trust from April 1, 1936, to March 31 of last year. The Natal farmers in question are, of course, influenced by the uncertainty which attaches to being in a released area, and not merely by the idea of profit. Nor would anyone blame them for wishing to sell after seeing what land which is probably of far lower value has fetched elsewhere. The facts were briefly alluded to in these columns when the Auditor-General's report was dealt with generally, but are too remarkable to be allowed to pass without further comment. A farm in the Lichtenburg district, allotted in 1916, was valued at £456, and ten years later the price was reduced to £369. In 1935 the lessee, applying for a further reduction, wrote, "I cannot make a living on the ground," and the local inspector of lands said it was "the poorest farm I have visited" and valued it at 10/- per morgen, that is £555. This estimate he confirmed in March, 1927, at which time the improvements effected by the lessee with his own funds (as distinct from Government advances) were worth £124. Yet in September of the same year a member of the Central Land Board valued the place at £1,457 and the improvements at £227. Then 20 per cent. was added for "loss and inconvenience" (to a

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tenant who had been imporing the authorities to take back the farm or allow him to exchange to somewhere else), and this "poorest of farms" was purchased for the Native Trust for £2,021.

In somewhat similar style, a farm in the Pietersburg district, allotted in 1911 at a price of £225, was revalued in 1932 at £135, and in 1926 (plus improvements) at £89. Between May and December of that year, however, this "recession" was brilliantly reversed by the Land Board, for the property was bought for £700, or nearly eight times what the inspector had said it was worth. Other farms whose poverty of soil or other disadvantages had been advanced as claims for reduced values were bought, as under:

Last valuation.	Purchase price.
£963	£2,700
979	2,050
939	1,775

The Auditor-General points out that when purchases of land are made by the Government, full value cannot be expected. There is a vast difference, however, between a reasonable excess and figures such as some of those which have been quoted. A significant fact relating to the purchases in question is that these purchases were of land originally sold to the holders by the Government on remarkably easy terms of payment, the payment not having been completed in some instances. No particulars are given of purchases from other owners, in regard to whose farms there were no previous valuations against which to check the prices given. If, however, the transactions disclosed give any index to what the Government pays in the course of its large land acquisitions—for irrigation schemes, settlement and institutions, as well as for native purposes—a colossal and utterly indefensible waste of public funds must be in progress.

The purchases for the Native Trust alone, during the two years covered by the report, totalled nearly a million and a half. For how much of this was value obtained? The question is important not only as relating to the expenditure of public funds, but because purchases at unduly high figures tend to inflate the general cost of land and therefore to make farming more "unprofitable" than ever. Most important of all, if the funds available for the Native Trust are being spent on land of the poorest description, how can the Trust be successful in its native settlement policy?

AL, MONDAY, FEBR

FUSION TALKS IN RHODESIA

PARTIES NOT TO MERGE

DEADLOCK OVER NOMINATIONS

FROM OUR CORRESPONDENT

BULAWAYO, Monday.—Hopes of fusion between the United (Government) Party and the Rhodesian Party ended on Saturday when a meeting of representatives failed to reach agreement on the method of nominating candidates for the coming general election.

The parties will now fight the election under the respective leadership of the Prime Minister, Mr. G. M. Huggins, and Mr. W. M. Leggate. Another party in the field will be the Labour Party, which at present holds five seats but expects to win more and is also hopeful of the result of the Gatooma by-election.

Four Cabinet Ministers, including Mr. Huggins, were in Bulawayo on Saturday. Mr. Huggins did not attend the meeting and was merely at hand if information was wanted.

STATEMENT ISSUED

The following statement was issued: "Representatives of the two parties met and continued their discussions as to recommendations to be made to their respective parties. They agreed as to the recommendation on policy, but no agreement could be reached on the method of nominating candidates.

"Views, as held by the representatives, were as follows:—

"The Rhodesian Party suggested the complete fusion of the two parties and that candidates for all constituencies be chosen by a method to be decided by the new party.

"The United Party suggested that all nominations, other than 11 seats where postal or other contests had taken place, be withdrawn, and nominees so dealt with be allowed to submit their names, together with a Rhodesian Party nominee, for ballot selection. In the case of the 11 reserved nominations where the Rhodesian Party can submit the name of a desirable alternative, then such reserved nomination be reopened for joint consideration.

"The position, as it now stands, will be laid before the executives of the two parties."

It is considered the executives will do no more than accept the report of their delegations. Thus hopes of fusion have ended.

This concludes negotiations, extending over months, originally conducted by the leaders of the parties, but

THE STAR, JOHANNESBURG, TRANSVAAL, FRIDAY, FEBRUARY 10, 1939.

THIRD PARTY MOTOR INSURANCE

MR. STUTTAFORD GIVES NOTICE OF BILL

FROM OUR GALLERY STAFF

House of Assembly, Thursday.

In the Assembly this afternoon, The Minister of the Interior (Mr. Stuttaford) gave notice of his intention to ask on Monday, February 13, for leave to introduce a Bill to provide for compulsory third party insurance—"a Bill to provide for compensation for certain damage by motor vehicles."

The Agricultural Schools Transfer Act Amendment Bill was read a first time and the second reading set down for February 13.

OLD DROSTDY

On the second reading of the additional Appropriation Bill,

Mr. WARREN (Nat., Swellendam) thanked the Government for preserving the Old Drostdy at Swellendam.

He said that the building was of interest not only to Swellendam, but to the whole country. It was the only drostdy in the country which had kept its original style and it was there that the first South African Republic had been proclaimed.

The Bill was read a second time.

In the Committee stage, which was taken at once, Mr. Burnside (Lab., Umbilo) said that the arrangement whereby the Provincial Councils were to be compensated for the abolition of professional licences amounted to an interference with the rights of Provincial Councils. No justification had been shown by the Minister why professional men should not pay licences.

The Bill was reported without amendment and the third reading set down for Monday.

ELECTRICAL CONTRACTORS

The House went into Committee on the Electrical Wiremen and Contractors Bill.

On the definition clause

MR. WARREN (Nat. Swellendam) asked why suppliers of electricity were specifically excluded from the terms of the Bill.

The MINISTER of LABOUR (Mr. Lawrence) said the suppliers were bodies like the Electricity Supply Commission, and municipalities and their conditions were already regulated by law.

MR. MADELEY (Lab. Benoni) moved an amendment designed to bring suppliers within the terms of the Bill.

The MINISTER said acceptance of Mr. Madeley's amendment would merely duplicate existing legislation.

Mr. Madeley's amendment was defeated by 79 votes to 14 and the clause was agreed to.

REGISTRATION BOARD

On Clause 3,

Mr. MADELEY objected to the composition of the electrical wiremen's registration board. He said there would be three representatives of employers on the board and only one representative of employees. He moved an amendment to increase the number of members appointed by the Minister from four to five and the number representing wiremen from one to two.

Mr. WARREN moved an amendment to exclude Rhodesian engineers from serving on the board and from voting for members of the board, and this was accepted.

The MINISTER of LABOUR said the purpose of the board was to safeguard public safety and not to deal with disputes between employers and employees. He did not believe that either employees or employers who served on the board would refuse to consider the interests of public safety and he did not accept Mr. Madeley's statement that three of the members would be employers' representatives.

Mr. KENTRIDGE (U.P., Troyeville) supported the amendment.

The MINISTER said that so far as he could recollect no trade union had objected to the constitution of the board. He was prepared to leave it to a free vote of the Committee.

The amendment was lost by 43 votes to 42.

BAR AGAINST NON-EUROPEANS

Dr. VAN MIROP (Nat., Mossel Bay) moved an amendment to the clause defining persons entitled to registration as wiremen, to the effect that only European citizens of South Africa be permitted to register.

The MINISTER of LABOUR said he was not prepared to accept the amendment, the effect of which would be to bar non-European persons be-

SUMMARY

The Additional Appropriation Bill was read a second time in the Assembly yesterday, after which the House went into Committee on the Electrical Wiremen and Contractors Bill. A Nationalist attempt to introduce the colour bar into the calling of electrician was productive of a spirited debate, which was still in progress when the House rose.

coming qualified as electrical wiremen in terms of the Act. Was the motive behind the amendment colour prejudice or a fear of danger to existing wiremen?

He had yet to learn that there was any danger to European wiremen from encroachment into their sphere of work by non-Europeans. Was the House to lay down prohibitions based on fear and prejudice in order to bolster up white civilisation? Surely this showed a very shallow view of the future of the country. He refused to take this gloomy view.

There was no danger in this case to white civilisation and the amendment could only be regarded as a mischievous one.

Mr. SERFONTEIN (Nat., Boshof) said it was important that wiremen should be Union citizens, not aliens, and that there should be colour segregation in this sphere.

Mrs. BALLINGER (native representative, Cape, Eastern) said it was a tradition of the House to allow no colour bar legislation in industry.

"RED HERRING"

Mr. ALEXANDER (U.P., Cape Town, Castle) said the amendment cut against the principles of labour legislation in South Africa. The argument that it aimed at preventing importations of electrical workers from other countries was merely a red herring.

The Opposition had declared war against various sections of the community, but the House should insist upon following the rule of justice which had always characterised legislation in South Africa.

Mr. VAN DEN BERG (Lab., Krugersdorp) said that unless the amendments were adopted European wiremen might be replaced by cheap non-European labour as had been done in other fields of work.

The MINISTER of LABOUR said that he was just as anxious to uphold white South Africa, but members should not abuse their civilisation. Mr. van den Berg had objected to Section 12 of the Bill on the grounds that, if there was no prohibition,



EXPLOSION AT LONDON TUBE STATION

A view of the extensive damage done at Leicester Square tube station, London, by a time-bomb, believed to have been placed there by Irish Republican terrorists.

large numbers of non-Europeans would be imported into the towns and employed by so-called 'unscrupulous employers at lower wages. But skilled work in industries was governed by industrial agreements.

ALIENS ACT A SAFEGUARD

The Department of Labour was doing its utmost to ensure the enforcement of the agreements and was at present working in consultation with the Department of Justice. It would be no credit to Europeans if they could only hope to survive by shutting out everyone else.

It was unnecessary to provide that only Union nationals could register under the Act, since Union nationals were already safeguarded against the importation of aliens by the Aliens Act. He objected to the introduction of the colour bar into the Bill and was not prepared to agree to any amendments which would be merely a sop to colour prejudice.

The Nationalists should not make

unfounded allegations such as had been made by Mr. Strydom (Nat., Waterberg) last session, when he stated that European girls in certain factories in Johannesburg worked under the control of natives.

Mr. Strydom had not been able to give details of his allegation and all efforts by the Labour Department to investigate Mr. Strydom's allegations had failed, because the allegations had been unfounded.

The Apprenticeship Act imposed no colour bar and yet the country had not been swamped with non-European apprentices immediately after it had come into operation.

"INDUSTRIAL SEGREGATION"

Mr. NEL (U.P., Newcastle) quoted a speech by Dr. Malan in which he had defended the old Nationalist policy of releasing the coloured people from the operation of the colour bar on the mines. In those days the Nationalists were not such champions of the European.

Mr. ERASMUS (Nat., Moorreesburg) said that by releasing the coloured man from the operation of the colour bar, the Nationalists were merely carrying out their policy of differentiating the coloured man from the native and were turning him into a third group. The Nationalists stood for industrial segregation and also for seeing to it that Union citizens were protected.

Progress was reported, the debate being adjourned until Monday and the House rose at 6 p.m.

more could have been said in its favour.

Senator JONES said that in view of the spirit shown by the Minister, he and his colleagues were prepared to withdraw their amendment. This was agreed to.

The Bill was read a second time and the third reading set down for tomorrow. The House rose at 5.10 p.m.

NATIVE LAND ACT CHANGES

SECOND READING OF BILL

FROM OUR GALLERY STAFF

The Senate, Thursday.

In the Senate to-day, replying to Senator W. T. Welsh,

The MINISTER of NATIVE AFFAIRS (Mr. Fagan) said that in the case of natives injured on the mines the appointment of persons to assess compensation was made by the Minister of Labour. In the case of natives suffering from silicosis, the assessment of the stage of the disease was made by the Miners' Phthisis Medical Bureau. Payments were made through the Director of Native Labour in terms of the Miners' Phthisis Consolidation Act.

The highest sum in compensation for injuries paid to a Union native last year was £105. The largest amount paid in respect of silicosis compensation was £216/7/4.

All cases of injuries or suspected silicosis were followed up by the Director of Native Labour, who worked in conjunction with the native commissioners, magistrates and officers of the Native Recruiting Corporation.

The debate on the second reading of the Native Trust and Land Act Amendment Bill was resumed.

Senator P. G. W. GROBLER said that there were people who suspected every step taken by the Government with regard to the natives, notwithstanding that it was the Government's duty to safeguard the interests of the natives.

There was no reason for the subject matter of the Bill to be referred to a select committee.

HALF POPULATION

Senator F. S. MALAN said the reserves provided for only about half the native population, so that money was being spent on carrying out a policy which applied to only half the native population. If Senator Jones's amendment was accepted the whole Act of 1936 would again be flung into the melting pot. He personally agreed with provisions of the Act, but whether one agreed or not, it was not wise to try and bring about revision of the whole policy underlying the 1936 Act.

If Senator Jones had moved his amendment after the second reading

(Continued in preceding column.)

13/2/39
Rand Daily Mail

APPEAL TO WITHDRAW NAT. 'COLOUR PETITION'

AT the request of the Council of the South African Institute of Race Relations, the executive committee has prepared a statement for the guidance of members of the Institute and of the general public on the so-called "Colour Petition" which is being circulated for signatures by the Nationalist Party.

The petition, which is addressed to the House of Assembly, asks for legislation without delay for the prohibition of all mixed marriages between Europeans and non-Europeans; making punishable as an offence all miscegenation between Europeans and non-Europeans; putting a stop to Europeans living together in the same residential areas; and the carrying out of an economic as well as a political segregation between Europeans and non-Europeans.

The statement of the executive committee is as follows:—

"For the first time in the history of South Africa, this petition demands the application of the principle of segregation uniformly to all non-Europeans whatever, and in every sphere of life—political, economic, residential, social. Moreover, it demands this application in the name of the "dominance of the European race," promising to the segregated non-Europeans in return the benefits of an undefined "guardianship."

"Inevitably this demand, made in this sweeping form, has already begun to fan race-antagonism into flame. The coloured community at the Cape—which has still a limited access to the parliamentary franchise and which, in the past, has been promised by responsible South African statesmen that in political and social status it was to be affiliated to the white community—is already organising meetings of protest and circulating a counter-petition. The more the propaganda for signatures to both petitions is intensified, the more disastrous will be its effects in embittering race-relationships.

"ANTI-EUROPEAN BLOC"

"The Institute of Race Relations, therefore, feels justified in making an urgent appeal for a different, more co-operative, more constructive, approach to the problems which have given rise to the 'Colour Petition' for which only the signatures of 'adult whites' are being sought.

"The white community, we dare not forget, constitutes barely one-fifth of the total population of the Union (without the Protectorates). To apply to the non-European four-fifths a policy of totalitarian segregation, overriding traditional differentiations in the positions of different sections of the non-European population, can have in the long run but one effect, viz., to force together all non-Europeans into a single anti-European bloc.

"In place of the spirit of goodwill and co-operation, without which our race-relationships will degenerate into sheer race-antagonism, and without which the white community cannot hope to maintain indefinitely its leadership and control, we shall have a united front of all non-Europeans against all Europeans as their common enemies.

"No thoughtful white South African can conscientiously vote for a policy which must have this effect. Vague promises of 'guardianship' cannot stave off this hostility; non-Europeans cannot be blamed if they see in 'domination' and 'segregation' nothing but the exclusive advantage of white South Africa and the permanent disadvantage of non-white South Africa.

"To discuss the policy proposed in the petition in detail is not possible here. The fears for the future of the white community by which it seems to be inspired and the maladjustments and ructions in race relationships for which it professes to seek a remedy must be examined in a spirit of mutual understanding and give-and-

take, with the welfare of the Union as a whole always as our guiding star. To attempt the solution of these problems in a high-handed way from the white point of view alone is the sure road to eventual disaster in our race relations.

"The Institute, therefore, pleads with the organisers of the petition to withdraw it; to take thereby the whole problem out of the realm of party politics, where it has no chance of being thought out on its merits; and to seek instead a solution by the method of consultation and exploration of all possibilities of adjustment, with the co-operation of the churches and other non-political bodies, and, not least, with the co-operation of the responsible leaders of the various non-European communities.

"History has laid upon the Union the task of making a success of a multi-racial society; in that task it will miserably fail, if the white community, strong in culture and past experience of leadership, loses the co-operation and trust of the non-European majority."

HANNESBURG, TRANS

NATIVE LAND

Star

EXPROPRIATION
METHODS

14/2/39

FROM OUR GALLERY STAFF

The Senate, Monday.

In the Senate to-day, The MINISTER of POSTS and TELEGRAPHS (Senator Clarkson) gave notice that to-morrow he would move that the House adjourn until March 20.

The Additional Appropriation Bill was read a second time, reported without amendment and read a third time.

The House then resumed the Committee stage of the Native Trust and Land Act Amendment Bill.

Senator W. T. WELSH asked the Minister if natives whose land had been expropriated would be allowed to buy land in the same locality.

The MINISTER of NATIVE AFFAIRS (Mr. Fagan) said that it was laid down that the Minister must act in collaboration with the Native Affairs Commission in this matter. It was intended to deal most sympathetically with the natives. In any case, before action was taken the Minister had to report to the House.

Senator G. HARTOG said that the House was trying to rush the Bill through—which was obvious from the many amendments. As the Bill now read, it allowed for expropriation "for any reason." The Native Affairs Department would not always be controlled by the same Minister and native affairs might fall into the hands of people who would ruthlessly use this power placed in their hands.

The report stage of the Bill was set down for to-morrow.

The Weed Bill was read for the first time.

The House rose at 3.45 p.m.

INDIAN LAND
RIGHTS

CONGRESS PLEASED
BY REPORT

Mr. S. M. Nana, secretary of Transvaal Indian Congress, stated today that the report of the Transvaal Asiatic Land Laws Commission had completely vindicated the attitude of the Indian Congress. It had recommended no fresh disabling legislation.

While it was true that the commission had reported on a relatively small number of evasions, the fact that the commission had not recommended fresh legislation was, by implication, support of the congress contention that such evasions had been on an insignificant scale.

The commission had stated that no steps were necessary to restrict the land-owning rights of European women civilly married to Asiatics. In respect of Malay women the commission stated that at present no steps were necessary to deprive Cape Malay women of the right to own fixed property.

This implied, in the opinion of Mr. Nana, that the amount of property held by Malay women was of such an insignificant percentage that no legislation was necessary for the present and that it would only become necessary if there was a markedly great increase in the number of properties acquired by Malay women married to Indians.

RESULT OF INQUIRY

The commission, said Mr. Nana, circularised every local authority in the Transvaal and obtained a list of properties occupied by Indians. Outside of Johannesburg, 30 companies holding properties were examined and the commission found that two companies held land acquired before 1930. Sixteen held land acquired before 1932 (before the passing of the Act), six were held not proved to be Asiatic companies, and only six companies acquired property after 1932.

After receiving reports from all municipalities the commission discovered six companies which had acquired land after 1932, and the value of the land held by these six companies was less than £60,000, that is, 25 per cent. of the cost of a single property in the city.

"The congress still maintains that the only equitable solution to the question of the ownership of land by Indians is the removal of the restrictions against Indian ownership, and that discriminatory legislation against Indians in this respect is totally unjustified and indefensible," said Mr. Nana.

"We never expected the commission to recommend the repeal of the discriminatory laws in respect of ownership of land by Indians, as it was constituted for the primary purpose of recommending whether fresh legislation was necessary."

MINORITY REPORT CRITICISED

The minority report of Mr. Bloem-sma was inexplicable to the Indian Congress, declared Mr. Nana. The Congress strongly refuted the charge of penetration by Indians into European areas, and quoted evidence of responsible European witnesses who appeared on behalf of various local authorities in support of its assertion. Congress, in its memorandum to the commission and in evidence before the commission, emphasised this fact.

Mr. Bloem-sma, said Mr. Nana, did not challenge the statement of Congress on this subject. He did not adduce any evidence in support of his statement that Indians were penetrating into European areas, and his conclusions appeared to be based on one or two isolated instances.

17/2/39

Raudday
mail

POWER

cultural Schools Transfer Amendment Bill, the MINISTER OF EDUCATION, the Hon. H. A. Fagan, explained that in the Act of 1937 agricultural schools were handed over to the Provincial Administrations. The school at Ladybrand was still under the Union Government's control owing to a point of law and could not be transferred until an amending Bill had been passed. The Free State Administration was prepared to take over the school, and he, therefore, brought up the necessary legislation.

The Bill was read a second time and the committee stage was taken at once. There was no discussion and the Bill was reported without amendments.

The Bill was read a third time and will now go to the Senate.

In moving the second reading of the Native Trust and Land Amendment Bill, the Minister of Native Affairs, the Hon. H. A. Fagan, said his department had found that the original Act did not enable them to do all that had been intended, and the proposed amendments were in the interests of both the native and white sections of the community. It had, for example, been desirable on occasions that the whole of a released area should be excised, but the Act did not empower them to excise the whole of a released area, though any part of it could be excised.

Clause Seven was probably the most important in the Bill, as it empowered the department, in the interests of both native and European farmers, to do away with "black colonies" in the midst of European farming areas.

Mr. C. F. ERASMUS (Nat. Moorsburg) said that he welcomed this clause, which was in accord with the policy of segregation maintained by the Nationalist Party. The clause also provided for the sale of Crown land to the native dispossessed in the "white" areas, but he wished to know if similar provisions had been made for European farmers whose property was taken over for the formation of native reserves.

"SEGREGATION PRICE"

Mr. S. BEKKER (U.P., Wodehouse) said clause seven interpreted in law the undoubted intention of the joint sitting in 1936—the segregation of natives in European areas. Mr. Bekker said he was opposed to a clause in the Bill providing for further compensation. Seven-and-a-quarter million morgen was the price South Africa paid for segregation, so why should there be this addition, and what was to be the amount?

Referring to the compensation of Divisional Councils, he urged that this should not be left to the discretion of the Minister. He asked what price European settlers would have to pay for the land from which natives had been expropriated. Would the amount of compensation be added to the price Europeans would have to pay?

Mr. D. B. MOLTENA (Cape Western Native Circle) said the Bill was of great importance because it proposed to give the Minister power to make fundamental changes which were not envisaged in the Native Land Act of 1936 or that of 1913.

The Bill would give almost unfettered powers of expropriation in the released areas to the Administration. In its amended form the Bill was undoubtedly an improvement on that submitted to the Native Representative Council, but he thought that it should again be submitted to the Council for an expression of opinion.

Bill were passed 600,000

land

THE RIGHT TO PERSONAL LIBERTY

Rand Daily Mail

2/1/39

By A BARRISTER

THE proposed legislation affecting the Press, school-masters, and so on, will deal a fundamental blow to long-established legal principles governing the paramount right of the citizen to personal liberty.

Ogden's "Libel and Slander" states: "Our present law permits anyone to say, write and publish what he pleases; but if he makes bad use of this liberty he must be punished. If he unjustly attacks an individual, the person defamed may sue for damages; if, on the other hand, the words be written or printed, or if treason or immorality be thereby inculcated, the offender can be tried for the misdemeanour either by information or indictment." This extract admirably sums up the legal position in regard to freedom of discussion on the part of the citizen, subject to certain limitations which will be referred to presently. A person is therefore entitled to say or write anything he pleases provided he does not offend against the law relating to (a) defamatory statements, (b) seditious statements, (c) blasphemous statements and (d) obscene statements.

Defamation consists in the publication of matter concerning another which is calculated to expose him to hatred, contempt or ridicule. As regards sedition, any person is guilty of an offence who publishes orally or in writing any statement of seditious intent, that is, with a view to inciting a gathering of people to commit violent and forcible conduct directed against the authority of the State.

In South Africa, freedom of speech is further limited by two statutes, the Riotous Assemblies Acts of 1914 and 1930, and the Native Administration Act of 1927. The latter statute provides the machinery for penalising any person who utters words or writes matter with intent to promote feelings of hostility between natives and Europeans. It also furnishes the police with the power of confiscating and destroying written matter which is calculated to do this mischief. The Riotous Assemblies Acts, *inter alia*, make it an offence to speak or publish words that might reasonably be expected to lead to public violence.

In regard to the rights of the Press, a topic which logically falls to be considered now, the present position in England is marked by two characteristics:

(1) "The liberty of the Press consists in printing without any previous licence subject to the consequences of the law" (Lord Mansfield in *Rex v. Dean of St. Asaph* 3 T.R. 431). "The law of England, is a law of liberty, and consistently with this liberty . . . there is no such preliminary licence necessary." (Lord Ellenborough in *Rex v. Cobbett* 29, St. Tr. 42.).

(2) "Press offences, in so far as the term can be used with reference to English law, are tried and punished only by the ordinary Courts of the country, that is, by a Judge and jury." (Dicey: "Law of the Constitution.")

The British Government, from the year 1700, has had nothing to do with the guidance of opinion, only concerning itself with the punishment of offences by the Press as detailed above. "Hence, the Government has . . . exercised no special control over literature, and the law of the Press . . . has been nothing else than a branch or an application of the law of libel." (Dicey.)

This briefly is the legal position of the Press in South Africa as well as in England.

As to the legal principles governing the holding of public meetings, these are no more than the ordinary rights of the individual to go where he pleases without interference, always providing that he acts in obedience to the law.

In South Africa the only restriction in common law pertinent to the citizen's rights of holding a public meeting is that it must be carried out without "geweld" (public violence). Public violence is committed by such acts as publicly or openly effect or intend to create a violent disturbance of public peace or a forcible invasion of the rights of other people.

Although this is the only restriction imposed by the common law, the Riotous Assemblies Acts make further inroads into the doctrine, by laying down the following rules:—

(1) A Magistrate acting under authority of a Minister may prohibit the holding of a public meeting in certain circumstances.

(2) A Minister has the same power. In addition, he has the power of prohibiting the presence of any person at a public meeting.

(3) A Magistrate may in certain circumstances close public places to prevent public meetings from being held.

(4) The police in certain cases may disperse a public meeting.

Although to some extent the Riotous Assemblies Acts did introduce legislation which interfered with the rights of citizens in respect of public meetings, the predominating features in regard to this topic as well as the right to free discussion remain unaltered—namely, the unfettered freedom of the private individual. Subject to obvious and necessary limitations, a person is entitled to go where he pleases without restraint and to say what he likes without fear of punishment.

Ultimately, these principles are seen to flow from the inherent right of a person to conduct himself as he pleases without hindrance—a right which nowadays has disappeared from the everyday lives of peoples living under certain ideologies. It is this paramount right or privilege which is being attacked by the proposed legislation. The suggested Bills may be the death-knell of an institution, formulated and observed through many years of democratic existence—an institution which constitutes the very life blood of law, order, and liberty as we have always known it.

11/3/39

PAGE THIRTEEN

MR. HOFMEYR ON AFRIKANER BLOC

Reported Speech by Mr. Pirow Criticised

EMPHASISING that the United Party must not run away from the ideals that won them the last general election, the Hon. J. H. Hofmeyr, M.P., referred last night in strong terms to Mr. Pirow's recent utterance dealing with the "Afrikaner bloc" formed at Stellenbosch by Dr. E. C. Pienaar and Dr. A. C. Cilliers.

Mr. Hofmeyr was speaking at a meeting of the Rosebank branch of the United Party held in the South African Club.

"I know," said Mr. Hofmeyr, "that some people are a little disturbed by the report of a speech by Mr. Pirow at Stellenbosch last week. He is said to have given his blessing to a movement begun by certain professors at Stellenbosch. That can only mean the creation of an Afrikaner bloc. Mr. Pirow neither affirmed nor denied his participation in the creation of such an Afrikaner bloc when taxed about the matter in the House of Assembly by the Hon. W. B. Madeley, but if Mr. Pirow gave his blessing to the proposal he was not speaking for the United Party."

Mr. Hofmeyr justified this assertion by quoting from speeches by General Smuts and General Hertzog. He went on to appeal to the United Party not to lose sight of the ideals which won them the General Election by so "resounding" a majority.

It was useless, he said, to pretend that the United Party had not lost ground since the general election. By-elections held since then had been disquieting.

"Since the Voortrekker celebrations of last year we have heard quite a lot about national unity," declared Mr. Hofmeyr, "but it has come from only one angle."

What has really been going on is the creation of an Afrikaner bloc — an English bloc on the one side and an Afrikaner bloc on the other. That does not mean national unity. It means "top-doggism!"

The principles of national unity, continued Mr. Hofmeyr, were explained in the United Party's programme of principles. Reunion on any other terms was unthinkable. The United Party had fought at the General Election last year for toleration.

There were very few countries where there was a more fruitful field for the stimulation of intolerance than South Africa. The stimulation of intolerance was one of the chief weapons of the Nationalist Party. It had been exploited to its fullest extent in the Pretoria City by-election.

"We can rejoice that it failed," said Mr. Hofmeyr. "The United Party stands foursquare against this utterly vile exploitation of mankind's primitive instincts."

Besides anti-Semitism, continued Mr. Hofmeyr, there was another form of intolerance—intolerance towards the coloured peoples of South Africa, natives, coloureds and Asiatics. The principles of the United Party included the phrase "Christian trusteeship." *they not count to hear it* The essence of tolerance was to see the other man's point of view and that also was the essence of democracy.

DEMOCRACY

"As a party," declared Mr. Hofmeyr, "we must stand for the maintenance of democratic principles. We cannot surrender our freedom. We must fight everything that goes to create in South Africa the servile mass mentality which has been the instrument of dictatorship in other countries."

It was just about five years since the United Party had come into being, continued Mr. Hofmeyr, and it had come into being because it was realised throughout South Africa that the two races were meant to come together and must not be put asunder. It was based on toleration and a readiness to see the other person's point of view.

"We have not realised that ideal yet," Mr. Hofmeyr admitted. "Mistakes have been made, and in South Africa you always have a fruitful field for the stimulation of prejudice, and sometimes it looks as if our extremes are more extreme than ever they were."

"But the solid core of the nation which will not be stampeded by the extremists is steadily growing. We cannot go back to where we were five years ago. There may be setbacks, there may be disagreements, but I hope we shall not be weary of well-doing." (Applause.)

In reply to a question about the changing of the name of Roberts Heights to "Voortrekkerhoogte," Mr. Hofmeyr admitted that it had been an unfortunate incident but claimed that the proposal had been made in good faith and without the intention of hurting the feelings of anybody. Far worse harm would have been done had the decision been reversed. It was just an unfortunate incident such as must be expected from time to time in a country like South Africa.

Mr. Hofmeyr declined to commit himself with regard to the proposed measure to control the Press. The Prime Minister, he said, had made no statement on the matter and until a definite statement was made by the Government he could obviously not deal with the question.

News by H. H. Gill, 155, Jeppe Street, Johannesburg.

Sub-editing and headlines of all political news in this issue by W. Ward Jackson, 155, Jeppe Street, Johannesburg.

14/3/39

PAGE FOURTEEN

READERS' POINTS OF

WHY RACIALISM IS GROWING

Poverty the Real Cause

LESSON OF PRETORIA CITY ELECTION

To the Editor, "Rand Daily Mail."

Sir,—The result of the Pretoria City by-election has rightly been the cause of much heart-searching, to say nothing of ingenious attempts of members of all the parties concerned to represent it as a gratifying result.

To a neutral observer it would seem that only the Purified Nationalists have any reason to be encouraged by this or any of the other by-elections since last May. For a country as full of divisions and strife as ours, that is a serious position; one that should make us reflect very carefully.

Why is it that the United Party, which purports to stand for the unity of our white race, an ideal which should appeal to every lover of his country, is losing ground? Why is it that people with a strongly British point of view, to whom the policy of the Purified Nationalists is anathema, feel they have grievances so pressing that, though having no chance of winning the seat, they run a candidate at the imminent risk of allowing the Nationalists to capture it? Why is it that the Purified Nationalists, with a policy of domination of the Afrikaans over the

English-speaking section and of hatred and oppression of the Jews, gained ground in a constituency like Pretoria City?

There must be a reason. It is no use trying to gloss over the facts. We ought to find that reason and tackle it. Merely ignoring the facts may land us soon in a South African version of Fascism or Nazism or a like form of tyranny.

The United Party was formed, ostensibly, to end racial strife between the people of Dutch and of British descent, and it has always claimed that it stood for democracy and freedom, and that its policy would prevent the growth of anti-Semitism. Has it succeeded in making good those claims? Is racialism less prevalent to-day than when Fusion took place? Have our democratic rights remained safe since then? Is anti-Semitism less widespread or less vicious now than in 1933?

The answer to each of those questions is emphatically No. Racialism is much more bitter now than at any time since the Anglo-Boer War. There are to-day many threats of action by the Government against freedom of speech and our other democratic rights. As for anti-Semitism, it is almost unbelievable how rapidly and widely it has spread since 1933.

Obviously, then, many of the English-speaking section, not troubling to find out why these things are happening, and seeing their point of view lost ground, feel they must hit out. Their method has been to form what is, in effect, a party of their section. As that section is in a minority in the country, it could, even if it polled 100 per cent., never be the Government of the Union. Its grievances can never, therefore, be redressed in that way.

So, too, with the Jews. Though at present the United Party gets their votes, because of the Nationalists' anti-Jewish policy, the Jews are losing their faith in that party, and view the future with despair.

The reason why the United Party has failed to keep the support of large numbers of those who want to see a

real national unity, is that it has failed to see that racialism and anti-Semitism fed on poverty and on a lack of opportunity for each of us to make a good living. We are not bound to real affection for those who differ from us in language, race, creed or colour. But if we are suffering lack and are afraid of the future, we immediately join with our like to prevent those of another class taking what we need. The basis of anti-Semitism is the belief that there is not enough to go round and that the Jews are getting too much and are therefore the cause of our poverty. So, too, with racialism. If there were enough for everybody, which there quite easily could be, none of us would worry about an Afrikaner or an Englishman or a Jew making a good living.

The trouble with the United Party is that it will not tackle the poverty problem. It indulges in some palliatives, but meanwhile the mass of the people is growing poorer and at the same time fear and hatred are in consequence increasing.

On the other hand, the Nationalists realise that the chief trouble is poverty and they tell the voters they will tackle it. But, unfortunately, they will not face the real issue of poverty, and, with their present programme, there is no hope of their even trying to end poverty. Many of their leaders seem to believe that their people are poor because of English or Jewish exploitation. This is an easy doctrine to preach, as human beings seem very prone to hate their fellows.

We could have a good, a constructive Nationalism, one that aimed at the welfare and happiness of the whole people and at making us a South African nation which could be the envy of the world. That obviously cannot be achieved by setting one section of the people against another. But until our people make up their minds that they want to end poverty we shall continue to become more and more divided and hatred will be encouraged among our peoples. The United Party, with its drift and lack of real cohesion, will lose ground and the Nationalist leaders, playing so profitably on race dominance and anti-Semitism, will increase their power.

It is only on the economic issue of putting an end to poverty that we can hope to counter and destroy race hatred and anti-Semitism. That is the lesson of Pretoria City. Are we to learn it?

F. A. V

"THE STAR" Readers' Views. The Native - His Assembly "Representation"
Theodore F. Myeza.
Not losing White Man's Respect. W. Mveli Kunene.
March 17th 1939.
Parliamentary discussions. 27th March, 1939.

MARCH, 17, 1939.

**THE NATIVE
—
HIS ASSEMBLY
—
"REPRESENTATION"**

To the Editor of The Star

Sir,—In The Star of February 12, of last year, the following appeared inter alia in your leading article of that day: 'Also for the first time, the assembled Houses included in their numbers members directly representative of the natives of this country. If these are portents, they are happy ones.'

Unfortunately, from what has been done and said in the House during the present session when debating on Bills affecting natives and the manner in which the natives' representatives were treated, one may now safely view the future of the Bantu race with gloomy forebodings.

It is difficult to imagine why several M.P.'s stated in the House that no notice may be taken by the Government of what the natives' representatives suggested. These remarks arose out of the debate when our representatives asked to be given an opportunity to further consider a certain Native Bill. Does the policy of the Union Government, then, purport to tax and make laws affecting us without our consent for all time? Is the "trusteeship" spoken of in the Representation Act, perpetual, or is there a time coming when we will be allowed to have a say in all matters pertaining to the Bantu people?

These are questions that must be answered in earnest now, because, unlike animals, the natives have reason, and sooner or later our coming generation will demand an explanation of all the extraordinary laws by which we are governed.

THEODORE F. MYEZA.

**NOT LOSING WHITE
—
MAN'S RESPECT**

To the Editor of The Star

Sir,—While I sympathise with "Fair's" complaint, I fail to find any reason for his or her sweeping statement that the native is losing the sympathy of white people. The natives have proved themselves to be worthy of fair treatment. Does "Fair" treat with contempt the decency and self-respect of so many town-dwelling natives? Does he overlook their appreciation for their European masters? Is he ignorant of their interest in the welfare of the community?

"Fair" can do well by taking stock of events before he or she condemns every black man. For, bad behaviour, unreliability, thieving and burglary can, amazingly enough be laid at the doors of many others than natives.

W. MVELI KUNENE.

"Star" FROM OUR GAL
27/3/39.

Resuming the Budget debate, which entered its fourth and last day in the Assembly this afternoon,

Mr. SUTTER (U.P., Springs) said native vagrancy on the Witwatersrand had reached grave proportions. Experts on native affairs put down its cause to the lack of control by the Native Affairs Department over the comings and goings of natives to and from the Witwatersrand.

The East Rand towns were greatly concerned about the position, the seriousness of which was proved by the large and increasing number of cases of housebreaking and theft. The crime position had got so bad that the insurance companies were refusing to take housebreaking and burglary risks and nowadays, when men went out on night shift, their families went to neighbours' houses for safety.

To cope with the evil the local authorities, which controlled every other aspect of native affairs on the Rand, should be allowed to take over the registration of service contracts. The suggestion had the blessing of the Minister of Native Affairs and the Secretary for Native Affairs.

The local authorities, however, should receive adequate financial compensation, such as a portion of the pass fees now collected by the Provincial Administration. Unless some steps were taken to check vagrancy a major tragedy might happen any day, for many of these undesirable native characters carried firearms and all carried weapons of some kind or other.

proof.

Mr. MOLTENO (native representative, Cape Western) criticised the decision to restrict further entry of native people into Cape Town, which had been taken in spite of a resolution by the Cape Town City Council. The Council had refused to have any part in the proclamation of Cape Town as a closed area for native people. If it was a fact that there was an undue influx of native workers into Cape Town, which he did not admit, then that influx was symptomatic of worse conditions prevailing elsewhere.

THE STAR" Lichtenburg By-Election. Col. Swart's Address. 20th March, 1939.

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LICHTENBURG BY-ELECTION COL. SWART'S ADDRESS

LICHTENBURG, Monday. — Lieut.-Colonel A. P. Swart, M.P.C., the United Party candidate in the Lichtenburg by-election, assisted by Mr. Hubert van der Merwe, M.P., and Mr. J. Wentzel, M.P., addressed more than 400 people on the Bakerville diamond diggings. The meeting was rowdy from the start, the Nationalists demanding an opportunity to vote for a chairman.

Colonel Swart replied to questions which his opponent, Mr. C. R. Swart, had raised at a Nationalist Party meeting addressed by Mr. Swart at Burghersdorp, and where Mr. Swart had invited Colonel Swart to appear on the same platform with him. Colonel Swart said that although he was prepared to accept the invitation, his executive thought it would only create bad feelings. He would, however, reply to those questions now.

First Mr. Swart had wanted to know whether the speaker would be prepared to bring certain of his leaders to Lichtenburg.

"The only leader I have is General Hertzog and Mr Swart's leader is Dr. Malan. Let these two leaders discuss what they stand for on the floor of the House," said Colonel Swart. "With regard to the second question—whether I would act on instructions from my constituents or do what the caucus tells me—I will carry out the instructions of my constituents and also will be true to my party caucus. All parties have their caucuses and a party without a caucus is no party at all."

NATIONAL ANTHEM

"My standpoint in connection with "Die Stem" is that a national anthem must be born out of the nation and not forced down their throats by legislation. If the English section wants "The King" as their anthem, why can't they have it?"

Mr. Swart had said that only Europeans could be members of the Nationalist Party.

"In the Transvaal we have no coloureds or natives in the party. In the Cape it has been the case for many years; but let me ask you, do the Nationalists prevent the coloureds from voting for them at elections in the Cape?"

"I am against extending the native vote. Legislation on the coloured question is not necessary for me or my children. My forebears taught me not to mix with natives or coloureds."

Colonel Swart was loudly applauded at the end of his speech.

There were no motions, and at question time the meeting was so rowdy that questions and answers could scarcely be heard. The chief Nationalist speakers were Mr. Haywood, M.P. for Bloemfontein, and Mr. P. Botha, and at the conclusion of the United Party meeting they addressed a meeting of Nationalists.

(News by J. A. Grimm, P.O. Box 152, Lichtenburg.)

"STAR"

SEGREGATION SCH

P O
State

The MINISTER OF THE INTERIOR, the Hon. R. Stuttaford, said he would leave the reply to Dr. Malan's remarks on the international situation in more capable hands.

"I was very interested in the hon. member's decided declaration that so far as his party is concerned its policy is neutrality," he said. "To hear yesterday the lip service that was paid to freedom and democracy and other 'isms' by the hon. member opposite was nice.

"It is good to hear that when democracy has its back to the wall and is having to fight for his life the hon. gentlemen are neutral. I am perfectly certain that the country as a whole will be delighted that none of these hon. gentlemen is going to fight on the side of democracy."

SEGREGATION SCHEME

Mr. Stuttaford said that when his 75 per cent. servitude scheme was published, Dr. Malan accused him of wearing his (Dr. Malan's) political clothes.

Mr. Stuttaford said they would be too narrow for him and in any case he did not like the racialistic stuff they were made of.

The Provincial Councils dealt with the coloured segregation scheme originally, but the Government decided it would be very unsatisfactory if the Provincial Councils introduced measures to ease their own little troubles and that it would be better for the Government to handle the matter.

Dr. Malan: It is a bit late.

Mr. Stuttaford: The hon. member says it is late. It is a subject which will continue for generations and there is no simple solution. It was no use denying that there was friction between Indians and Europeans and coloureds and Europeans.

At Rustenburg a few months ago, Indians had taken the law into their hands and "hit the wrong man on the head." It became clear that it was no good pursuing a laissez faire policy.

There were two schools of thought regarding the coloured problem. One

school advised compulsory segregation. That school comprised Nationalists—and the other favoured the compulsory intermingling of the races. The word compulsory in the latter case was used because there were poorer white classes who had not the opportunities of choosing their environment in the same way as people with more means.

Mr. SERFONTEIN (Nat., Boshof): Who stands for that?

Mr. Stuttaford said he disagreed with both schools of thought.

Nat members: Who are in the second section?

Mr. F. H. BOLTMAN (Nat., Colesberg): Are they in the United Party?

Mr. Stuttaford said that there was no reason why coloureds and Indians should not be protected any more than the white people on the lower economic scale should be protected. He tried to approach the problem from another angle.

He believed there should be division between the races, but instead of the division being horizontal it should be vertical. On the one side non-Europeans could have complete liberty and be able to rise to any level of culture and education they desired and on the other side Europeans should have the opportunities they now possessed but should not be subjected to any unnecessary intermingling with the non-Europeans.

Dr. Malan: Is that the new solution?

Mr. Stuttaford: My 75 per cent. servitude scheme was my first attempt to make some separation between Europeans and non-Europeans.

VOLUNTARY SEPARATION

He did not want to force compulsory segregation, but voluntary separation, which the individuals themselves had power to exercise to buy land in all the towns where the different sections would live apart. It would be an advantage to Europeans and non-Europeans.

Mr. Stuttaford said that his Bill would provide safeguards so that there would be no undue hardship on any individual provided the position as it was to-day was stabilised.

Separate residential areas would be established by common consent in the same way as they existed to-day.

Efforts must be made to allow the coloured man to have complete social life in his own area and there should be no bar to any capabilities he had.

Mr. Stuttaford said there might be better methods of solving the problem than his servitude scheme.

Dr. Malan: I am sure there are.

Mr. Stuttaford said that if his critics could produce a method by which coloured people could retain their liberty which was their right, he would be glad to consider it.

Dr. Malan: Even Dr. Abdurahman could improve on that.

DOMINION PARTY AMENDMENT

Mr. J. S. MARWICK (Dom., Illovo) moved the following amendment: "This House refuses to go into committee of supply until the Government has given a satisfactory statement of the position it would adopt as a member of the League of Nations and a co-operating partner in the British Empire in relation to the resolve of Great Britain, France and Russia to offer collective resistance to any further acts of aggression in Europe such as have recently threatened the peace of the world."

Mr. Marwick said that the statement by the Prime Minister in reply to a question the previous day that

SHEEP'S CLOTHING

All woollen fabrics are down—carpets as well. Staggering reductions. New shipments arrived at the Orient Carpet Co., underneath the Standard Bank, corner Eloff and Market Streets.

[Advt.]

3/3/39

FRIDAY DAILY MAIL, FRIDAY, MARCH 24, 1939.

PREMIER OUTLINES COLOUR POLICY

South African Press Association
House of Assembly.

Thursday.

On the resumed Budget debate—
The Prime Minister, General J. B. M. Hertzog, said that Dr. Malan had asked him for a comprehensive statement of the Government's policy in reference to the coloured people of the Union, and he was going to satisfy him.

He then read from a typed statement after remarking that the Government's policy was defined under four heads—namely, political status, economic status, social status and mixed marriages.

Political status: The coloured people are not to be deprived of the existing political rights, and the Government will resist any proposal to change their franchise in a manner that would diminish those rights.

Economic status: Coloured people shall not by reason of race or colour be debarred from engaging in any form of industrial occupation or employment, but the Government will endeavour to ensure that the working conditions of employment accord with the social policy set out below.

Social status: There is no desire on the part of either the white or the coloured people that there shall be social intercourse between them, and social separation is accepted by both as the definite and settled policy of the country.

Whenever social or economic conditions existing with this policy of social separation are found to exist, the Government will do its best to remedy such conditions, but it will always try to do so in a manner that will avoid cause for ill-feeling or a sense of grievance and will involve no greater discrimination than the necessities of the case require.

The most effective step in this direction is the provision of adequate housing accommodation so that white and coloured need not crowd together under slum conditions, where it is difficult for the inhabitants to remain socially apart. This step has already been taken on a very large scale and with universal approval.

The Government intends to go forward with this policy.

SEPARATE TOWNSHIPS

Legislation will however be necessary to carry it out. Local authorities are at present not equipped with proper powers to provide for the establishment of separate European or non-European townships in the future. While servitudes on property limiting the right of occupation either to Europeans or non-Europeans have frequently been imposed with very satisfactory results by private owners when cutting up their estates for sale, our common law does not allow public bodies to impose such a condition. It is proposed to introduce legislation which will rectify the position.

It will empower public bodies when selling or letting land or buildings to impose conditions limiting the ownership or occupation either to Europeans or non-Europeans, and it will empower townships boards to require the impositions of such conditions by way of servitude when land is sub-divided.

There remains the difficult case of residential areas occupied by both Europeans and non-Europeans. While it is intended to interfere as little as possible with existing rights of ownership or occupation, provision will be made to prevent promiscuous occupation extending further in future.

In most cases mixed occupation or residence exists only to a small extent, and it is possible to devise machinery for gradually eliminating this difficulty without undue hardship, or even by consent, and thus in the long run securing a homogeneous community either of Europeans or non-Europeans.

Such machinery will be created. The Government looks forward to the time when most of the coloured community will be living happily and contentedly in their own villages, townships or suburbs. It will then be possible to make them responsible for running their own affairs and services as far as possible.

Substantial outlets will thus be found for educated coloureds among their own community, and the friction which now arises will be avoided.

MIXED MARRIAGES

In industry the policy of separating Europeans and non-Europeans wherever conditions are such that but for such separation there may be social intermingling is already in force, and is being carried out with very willing co-operation on the part of the great bulk of both the employers and the employees concerned.

The Government will give effect to this policy in its administration, and also if this course is at any time necessary by legislative measures.

Mixed marriages: Mixed marriages are looked on with the greatest disfavour by both Europeans and non-Europeans. The question whether there is any need for legislation on this point, and whether legislation is desirable or is likely to be effective will have to be considered when the Mixed Marriages Commission appointed by the Government last year issues its report, which is expected within the next few weeks.

The Government feels that the policy enunciated here—one in which both Europeans and non-Europeans can co-operate, as it is designed to give effect to the wish of both for social separation while avoiding any features that may damage the material interests or hurt the feelings of either section.

The Government also feels that the question of the relationship between the races is not a local or a provincial one, but one in which a single policy for the Union is essential.

It trusts that provincial and local authorities will co-operate with it, both by carrying out their administrative functions in accordance with the policy enunciated here and by leaving the major issues that require legislation to be dealt with by the Union Parliament on national lines.

General Hertzog concluded the declaration and Government there, he said he did not think that the Government's answer to the Opposition's de-

mands for a statement of policy would enjoy Dr. Malan's support. To-day Dr. Malan no longer stood by any of his former principles if they did not suit his party.

This had occurred to him again during a debate a few days ago when a quotation from Harasard was read to show how Dr. Malan had changed his policy.

Dr. Malan: What do you mean? It was a false quotation.

General Hertzog said the policy he had just defined had been that of the old Nationalist Party since as far back as 1917. Dr. Malan was afraid of the lessons he had helped to set up from 1913 to 1922, but they still stood along the road the United Party was travelling.

Mr. E. H. LOUW (Nat., Beaufort West) said he was glad that the Prime Minister had made some statement on the international situation, but there was nothing new in it. The Prime Minister had not progressed since his declaration of policy in the House last September.

There seemed to be some presumption in the Press supporting the Government that a statement was not necessary as South Africa would be implicated in any conflict in which Great Britain found herself involved. Mr. Louw said the Nationalist Party was against such presumptions which were denials of South Africa's independence. The party felt that the Government was slavishly following the dictates of Whitehall.

The Nationalist Party policy was that South Africa must not meddle in the affairs of other countries. There was much intrigue among the European nations, and each was out to further its own interests. There was no such thing as honesty in international politics.

Mr. Louw said his experience at the League of Nations confirmed that view.

NAT. PARTY POLICY

The Prime Minister had stated previously that if South Africa's interests were threatened Parliament would decide whether the country would participate. Mr. Louw said there were different interpretations of that declaration. When would South Africa participate in such a war and under what circumstances?

The Nationalist Party policy was to protect South Africa if she were attacked. South Africa must be directly attacked, not by implication. Mr. Louw said there was a lot of loose talk about democracy. The present alliance in Europe was laughable in that democratic countries linked up with Russia, the most blood-thirsty dictatorship in the world. That alliance was made for only one purpose, and that was because Russia had the necessary man-power.

South Africa was thousands of miles away from the centre of trouble, and if Holland, Scandinavia and Belgium, who were in the middle of it all, could declare their neutrality, this country could easily do the same.

DEAD SEA FRUIT

Mrs. V. M. L. BALLINGER (Native Representative, Cape Eastern) said the Minister had announced that the native population would receive a somewhat questionable gift of £100,000 out of their direct taxation.

If native education were taken over by the Native Affairs Department, this money would be given to the Native Welfare Trust, but it might prove "dead sea fruit" for the natives. Any suggestion that this was to be the basis of native finance in the future would be a serious blow to the native people.

The money set aside for the purchase of native land was in payment for a policy established by the European community—payment for a segregation policy which the native had never voluntarily accepted.

The House had undertaken to set aside £10,000,000 in two years for the purchase of land for natives. In the last three years £4,000,000 had been allocated and this year £1,000,000. An astonishing lack of recognition of the existence of the native population was shown in the White Paper accompanying the Budget and dealing with agriculture.

The Native Representatives in the House fully agreed that agriculture should be established on as sound a basis as possible. She was glad to see not only that the whole policy of expert subsidies was to come to an end, but also that it was acknowledged to have been an absolute failure.

Mr. Havenga: It was certainly necessary at the time.

Mrs. Ballinger said she had not the time to argue that point with the Minister. In the last eight years £20,000,000 had been spent on assistance to the farming community, with the intention of building up agricultural policy.

POOR BLACKS AND WHITES

Mrs. Ballinger said that when the Government was exploring the possibilities of the local market it should consider the population as between eight and 10 millions and not two millions. She thought a good deal of the maize produced could be consumed in this country.

"Poverty begets poverty, and the depression of our native population creates poor blacks which in turn creates poor whiteness," she declared.

The non-European formed the largest group of the urban community, and in its increased consumption of agricultural products lay the one hope of placing agriculture on a sound basis. The future of agriculture lay in the development of the home market, and she welcomed the decision of the Department of Agriculture to explore the possibilities of this market.

Not only was the native population consuming less but it was also a decreasing factor in production. The whole basis of industry was native labour, which had a purely productive capacity because it had not started consuming.

Year after year the Health Department's report stated that the incidence of disease undermined the numerical strength and morbidity rate of the native population.

Mrs. Ballinger asked the Minister to support her request for the registration of vital statistics so that the country would know what was happening to the native population.

News by J. O. Rutherford, P. S. Mopani, H. O'Connell, M. Lewin, Press Gallery, House of Assembly, Cape Town.

UNION'S DEFENCE RESOURCES

SAFETY MEASURES IN SOUTH-WEST

ARMY EQUIPMENT, A.R.P. AND PORT DEFENCES

"LONG WAY FROM MILITARY SELF-EFFICIENCY"

PRIME MINISTER ON UNION ATTITUDE TO CRISIS

FROM OUR GALLERY STAFF

House of Assembly, Thursday.

In the Assembly this afternoon, resuming the Budget debate, Mr. MADELEY (Lab. Benoni) said that he wished to devote himself mainly to the latter portion of the Labour Party amendment which would rest not only in national, but international problems being greatly eased. The question of South-West Africa had added importance in view of the situation in the world to-day.

He had been severely castigated when he had referred to Mr. Chamberlain's visit to Germany in September as a humiliation to the British Commonwealth and all other free-loving countries. But his forecast had been proved by events. Whereas this surrender of the British Commonwealth of Nations to the self-aggrandisement of one individual going to end?

Germany's bluff should have been called. If it had been called Slovakia would still have been an independent State. As it was, democracy was faced with complete extinction.

It had been made abundantly clear that intrigues by a foreign nation had been going on in South-West Africa, and the Union would be very unwise not to take action. To allow these activities to continue so near to the Union in the present state of world conditions was not only dangerous, but criminally foolish.

"INCORPORATE S.W.A."

The vast majority of the people in South-West Africa not only desired but demanded the incorporation of the territory, so that both factors to incorporation—national safety and the clear-cut demand of the people concerned.

Taking South-West Africa into the Union would be one step which Herr Hitler's bluff by taking legislative steps to show that South-West Africa was no longer available to the Government of Germany. The demand which Herr Hitler would probably make for the return of Germany's one-time African colonies.

It would also show to the world that South Africa was wholly in support of the rest of the British Commonwealth in their resistance to the march of Fascism.

He appealed to the Nationalists to abandon their idea of neutrality and to realise that it was time to uphold the democracy about which they talked so much.

PREMIER ON CRISIS

The PRIME MINISTER said that there had been requests from several quarters of the House that the Government should make a clear declaration of policy regarding its attitude to the international situation.

"Well, I am not unprepared to comply with those requests. Whether what I am going to say will satisfy those members who have so strongly demanded a statement, I very much doubt, but notwithstanding that I am prepared to make a statement even if it is only to be a repetition of previous statements.

"As hon. members know and know well, the policy of the Government has always been to work for international peace and the peace of South Africa. The Government has always declared that to be its aim and this afternoon I wish once again to declare that that always has been and still is the policy of the Government. Further, the Government has time and again declared that, when the peace of the Union is threatened, it will come to this House and ask for a mandate laying down what action should be taken, even if that action means the use of weapons.

COURTESY TO FRIENDS

"The Government wishes again to lay this down as part of its policy by which it stands and by which it always hopes to stand. Do not forget this, I would like to draw the attention of my hon. friend who has just spoken (Mr. Madeley) and others, who possibly think of following him, on the same lines that it would be far more in our interests—bearing in mind that we are not yet at war with any country—to remember that it may justly be demanded of us that our friends or those with whom we have for a long time always been on terms of friendship, should be treated with courtesy, particularly in this House.

"When I have laying down of these few principles I have now repeated which has previously been declared and with them my answer has been given to the questions put to me from various quarters asking that a clear declaration of policy of the Government's attitude to the international position to-day, should be given.

"As I have already said, our attitude has always been one of peace towards everybody, but it is now said, 'But that cannot be because of central Europe and because of Czechoslovakia. How can we carry on as if nothing has happened there?'

"Yes, and yet that is our duty and this Government will carry on as if, as far as South Africa is concerned, nothing has happened."

Mr. MADELEY: Good heavens! The PRIME MINISTER: The question of Central Europe, of Czechoslovakia, and any other, does not have to do with South Africa, and so far has also not affected the Union and the Union's actions in the least.

pation to either Europeans or non-European. It would further empower town councils to lay down that such conditions of servitude should be imposed when the land was subdivided. Then there was the further difficulty of residential areas which were already occupied by both Europeans and non-European, and as little as possible on existing rights, to take steps to prevent the extensions of these conditions.

OWN LOCAL GOVERNMENT

In most cases the extent of mixed residential areas was restricted, and it was the intention to solve this difficulty gradually and without friction, even with the agreement of the people, and to establish areas for Europeans and non-Europeans. The Government looked forward to the time when the coloured community would live happily and contentedly in their own urban areas. It would be possible, as far as this could be done, to make them responsible for their own local government and services. Substantial opportunities would then be created for educated coloured people in their own communities, and the friction which now arose would be avoided.

Opportunities would thus be created for coloured people in their own communities.

In industry the policy of separating the Europeans and non-Europeans wherever the conditions were such that for such separation there might be social intermingling was already in force, and was being carried out with the very willing cooperation of both European and non-European employees. The Government would give effect to this policy in its administration and also, if necessary, by legislative measures.

MIXED MARRIAGES

Mixed marriages were looked upon with the greatest disfavour by both Europeans and non-Europeans. The question whether legislation was needed and desirable and likely to be effective would have to be considered when the Mixed Marriages Commission report became available within the next few weeks.

The Government felt that this policy was one in which both Europeans and non-Europeans could cooperate. It was desirable to give effect to the wish of both for social separation and it avoided anything that might damage the material interests or injure the feelings of either section.

The question of the relationship between the races was not local or provincial, but one in which a single policy for the whole country was needed. The Government hoped that provincial and local authorities would co-operate with it both by carrying out their administrative functions in accordance with this policy and by leaving the major issue that required legislation to be dealt with by Parliament on national lines.

DR. MALAN'S ATTITUDE

Judging by what the House had heard from the Leader of the Opposition the Government could not expect support in any of the proposals which it always changed its attitude on important questions on which he and members of the present Government were in disagreement.

The policy he had explained was nothing less than the policy of the old Nationalist Party from 1927 onwards. Dr. Malan had even on occasions persuaded the Government to Cape and to explain that policy to the coloured people.

Dr. Malan, however, had become a friend of the Government since 1924 and 1933. He had wandered so far into the wilderness that he had apparently lost sight completely of the beacons of the old Nationalist Party.

Mr. LOUW (Nat. Beaufort West) said there appeared to be a presumption from the statements in the Premier's speech by leading members of the Government, that it would be unnecessary to make a statement on the international situation because if there were a war affecting England and South Africa, the latter would necessarily be involved in it. He was glad, however, to know that the Prime Minister had made progress since last session, when he also made a statement on the international situation, and he had said that until South Africa's interests were threatened she would remain neutral ("onsydig").

The PRIME MINISTER: No, I used the word "afsydig" ("keeping out").

THE PRESS

Mr. LOUW said the policy of the Government was to maintain South Africa's friendly relations with other nations. He wished the Prime Minister would persuade the Press which supported the Government to support the Press was causing difficulties between South Africa and other nations concerned in the European situation. South Africa had nothing to do with the question whether Germany was right or wrong in occupying certain territory. South Africa's business was to keep her nose out of any international questions except when her own interests were affected. But difficulties would inevitably arise through varying interpretations of the Prime Minister's statement.

In what circumstances would South Africa be threatened? If England was attacked, then would South Africa be automatically attacked? The Nationalist Party said "No." They were prepared to defend their country, but only if South Africa was threatened directly, not merely threatened by implication.

Mr. WILKENS (U.P. Klerksdorp) said the Government had caused an artificial rise in the price of primary products in the Union by making concessions to agriculture. This had resulted in an increase in the price of land. The farmers were grateful to the Government for its efforts to improve the position, but they realised that it would be against their own interests if the Government acceded to the Opposition's request to stimulate further increases in the unit prices of primary products.

Mr. BEKKER (U.P. Cradock) said it was unnecessary to grant the Opposition's request for a commission of inquiry into the economic condition of agriculture, since they were already known to the Union and its expert advisers. The prevention of soil erosion should be more efficiently tackled.

NATIVE AFFAIRS

Mrs. BALLINGER (native representative, Cape Eastern) said there had been scarcely a reference in the Budget speeches to the non-European population, since they had had a series of surpluses built up on native labour. Contributions to the natives had been negligible. The

SUMMARY

Statements on the Government's attitude to the present European situation, on Defence, and on the Government's policy on the coloured question marked yesterday's debate in the Assembly—third day of the Budget debate.

The Prime Minister said that the Union would remain aloofness to European action. It was affected by them Government would "keep out" (onsydig) and it should act. The Government's policy was to segregate policy was lined by the Prime Minister in his Defence statement. Mr. PLOW said almost every respect by the 1934 five-year programme had been far exceeded. Many of the Defence measures were nearly two years ahead of the new programme imposed in 1936 of programme.

£4,000,000 spent on by the natives was the by the Whites were paying 7,250,000 morgan but 1,000,000 morgan had been purchased. An astonishing lack of recognition of the native population was to be found in the White Paper on the agricultural position and the Government's proposals for assisting farmers. The White Paper showed that 120,000,000 was spent in the last eight years on helping the farmers. She did not grudge a penny of this money because it was necessary to put agriculture on a sound basis. The average wages of Europeans were mentioned in the Paper, but there was nothing about the wages of non-Europeans, who were the largest urban population in South Africa, and the largest group of which the farming industry could be built up by increasing the non-European consumption of agricultural products.

NATIVE MARKET

One weakness of the agricultural policy was that it was pegged on the overseas and the local European markets, both of which were narrow markets. There had been no attempt to exploit the elastic market borne by the non-Europeans.

Mr. HAVENGA: What agricultural products do they buy?

Mrs. BALLINGER said there was no hope of establishing an agricultural industry if the non-European were not able to buy agricultural products. If there had been some encouragement to them during the prosperous years by means of rising wages and increased consumption, the Minister would not have found it necessary to provide each year the necessity of building up agriculture.

INCIDENT OF DISEASE The incidence of disease was not only seriously undermining the numerical strength of the native population, but was also decreasing its efficiency. It should be remembered that the whole of the gold mining industry was based on native labour. The only line of advance for the country was to tackle the ques-

tion of the wage status of the native population. If there was a small rise in the wage levels of natives there would be a widening of their consumption ability.

Everybody was agreed that main difficulty confronting the country was the lack of markets. The exploration of the home market therefore, something to be encouraged, the frontier would visualise the home market on basis of 8,000,000 to 10,000,000 and not just 2,000,000. All the goods produced in South Africa could be consumed in the country if it could be put on market at the same price as it put on the overseas market. It was most natural and legitimate. All she wanted was some encouragement from the Minister that he consider the economic problem, those terms. If it was not considered in these terms there would not be a future for anyone in the country because depression of the market population created poor blackism, poor blackism created poor white.

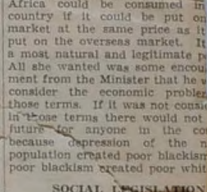
SOCIAL LEGISLATION

Mrs. SOLOMON (U.P. Jeppe) said a scheme of general and comprehensive social insurance would satisfy all sections, particularly the middle classes, for whom so little was done. It would protect workers and their families against unemployment, sickness and old age. Widows would also be protected under this scheme.

The scheme would have to be compulsory and it also had to be contributory. It would begin when the worker started and it would end at the age of 65, when he stopped working. The coloured and native population should be included. Present old age and pension and employment insurance schemes were mere makeshifts. It was compared with a comprehensive scheme run by the State. A State scheme should be both self-supporting and contributory. Such a scheme would not be expensive.

Mr. CARK (U.P. Pretoria East) said the Government should consider some scheme of relief for the middle classes, on whom medical and hospital charges pressed heavily.

The native social system should be extended throughout the country in order to deal with the poor white



GENERAL H. N. W. EOTHAM.P. for Frankfort.

"There can be no doubt that the time may come when the Union will feel itself decidedly involved in the questions of Central Europe. There can also be no doubt that as soon as that question is of such a nature that the safety or other vital interests of the Union, are threatened thereby then the Union will regard itself as concerned in those questions.

"But until that happens—I wish to repeat that until the interests of the Union are really threatened—it will in no way be the interests of the Union to hold aloof from those questions.

"Generally I think I may express the position of the Union with regard to the existing position in Europe as follows: Where and when the activities of a European country are of such a nature and scope that it may be inferred from them that its purpose and aim is the domination of other free countries and peoples and that the safety and interests of the Union are also threatened thereby, then it will be the duty of this Government to warn the people of the Union and to ask this House to concern itself with European affairs, even where the Union otherwise has no interests or takes no interest.

"This being so, the time for such intervention has not yet arrived, however much it may sometimes appear to be knocking at our door. I have said that I am convinced that this declaration that I have made will presumably satisfy neither of the parties which has demanded that I should make a declaration.

CANNOT SATISFY BOTH

"The purpose and aim which one had in asking for such a declaration differs so completely from the purpose which the other had that the answer which I can give—and I am certain the answer which anyone could give—cannot satisfy both sides.

"I am certain that no one in this House is in a position to satisfy both. While one party demanded a declaration of policy which would be given to condemnation of one country by another, the aim of the other party was just the opposite, namely a condemnation of the other country.

"I do not intend to satisfy either. When a decision is to be made it will be made in the true interests of the country, and will not be dictated by the interests of a party or politicians.

"It is perhaps one of the most unedifying spectacles we have had in this House that people whom we might expect to have a feeling of responsibility for the interests which they have been called here to represent, namely the interests of the country, more often busy themselves in the interests of their party than in the interests of the nation.

"I cannot satisfy them and I will not satisfy them so long as I am a member of this House. I hope that I shall never sink to a point where I can regard the interests of the country in that light."

COLOUR QUESTION

Dr. Malan had asked for a statement on the Government's policy with regard to the colour question. Dr. Malan had suggested that the Government had no policy, but again his charges were falsified, for a full statement had been prepared which clearly indicated what the Government's policy was. There had been no barking of the issue.

The statement dealt first with the political status of the coloured people; then the economic status; then the social status. The Government would make a statement with regard to mixed marriages.

The existing political rights of the coloured people would not be taken away and the Government would set its face against any proposal which would change their vote or diminish their political rights.

The economic status of the coloured people would be maintained and they would be allowed full participation in industrial activity. The Government would always try to remove these conditions in a just way.

The most efficient step to be taken in this direction was the provision of artificial housing so that it would not be necessary for European and coloured to be crowded together in slums where it was difficult for separation to be maintained.

The Government intended to continue that policy and legislation would be necessary to carry it out.

Local bodies did not at present enjoy the proper powers to provide for separate urban residential areas for Europeans and non-Europeans, for although a servitude limiting residential rights was often imposed by private landowners, the common law did not allow public bodies to impose such conditions.

LEGISLATION

It was the intention to introduce legislation to correct this position. The Government would empower public bodies, when they sold or let land or buildings to impose conditions which limited the right of ownership or occu-

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