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SOUTH AFRICAN INSTITUTE OF RACE RELATIONS (INC.)

SUID-AFRIKAANSE INSTITUUT VIR RASSEVERHOUDINGS (INGELYF)

P.O.Box 97

JOHANNESBURG

Posbus 97

April 1959

STATEMENT

RR 71/59

RACE RELATIONS PRESIDENT MAKES STATEMENT ON THE
PROMOTION OF BANTU SELF GOVERNMENT BILL

The Promotion of Bantu Self-Government Bill proposes, for the first time in the history of the Union, to deprive the African people of any representation in Parliament of any kind whatever.

At the establishment of the Union, Africans in the Cape Province were entitled to exercise the Parliamentary franchise on the same terms as people of other races. Although the franchise had never been enjoyed by Africans in the other provinces, so long as it was possessed by Africans in the Cape the principle of equality of political rights for properly qualified citizens was maintained in South Africa. This gave rise to what seemed to be the not unreasonable hope on the part of the African people that it would in time be extended throughout the Union. That, at all events, was how the African people and their leaders saw the position, and they consistently refused to agree to the substitution of any minority Parliamentary representation on a separate, or communal basis, of the Union African population as a whole.

In 1936 the Cape African franchise was abolished and there was substituted the present system whereby the Africans of the Northern Provinces were represented by two Senators elected by them and those of the Cape by two senators and three M.P's likewise elected by them. All the Senators and M.P's are required to be Europeans.

Slender as this representation is, it at least upholds the principle of direct representation of the Africans in the Parliament which exercises absolute legislative powers over them. It also ensures that voices of protest will be raised in the highest councils of the land against measures unjustly discriminatory against Africans, and that African needs and grievances will be publicly ventilated. The African people have never accepted this form of representation, but they have used it for these limited purposes pending the achievement of effective political rights.

Now, at a time when throughout Africa and Asia the non-White peoples of the world are achieving, or have already achieved, full democratic rights, the Union Government is proposing the unprecedented step of total disfranchisement of Union Africans. The Government claims that it is substituting local self-government for African parliamentary representation. So long as the Union Parliament legislates for all races in South Africa there can never be an effective substitute for Parliamentary representation of all races. Local self-government can never provide such a substitute because all organs of local government are sub-ordinate to Parliament. But this Bill does not even provide for a genuine system of African local self-government. It adds a few minor powers to those of African territorial authorities established under the Bantu Authorities Act, 1951, and empowers the Government to delegate others. But these territorial authorities can be established only for tribal areas in the African reserves - comprising a mere 12% of the area of the country where less than half the African people live. Approximately one third reside on European owned farms and about one quarter, which comprise, generally speaking, the most advanced and developed Africans, in the urban areas. All these are not included within the scope of the system at all. Moreover these territorial authorities are not even organs of local self-government since the people have no right to elect them and they are constituted

in such manner as the Government prescribes. Even in regard to the reserves, therefore, this system is a backward step as compared with that of election of local and general councils under the Native Affairs Act, 1920, which in the past was regarded as additional and supplementary to - not as a substitute for - such Parliamentary representation as the Africans possessed.

The provisions in the Bill for the appointment of commissioners-general to represent the Government in the reserves and for the nomination of representatives of territorial authorities in the urban areas are administrative only and have no relation to African "self-government". Indeed the functions of these officials and nominees are of the vaguest and their utility highly dubious.

The Institute exists to promote harmonious relations between the various racial communities. In discharge of its basic function, therefore, it conceives it to be its duty to issue the warning that good relations cannot exist between European and African so long as effective political rights are the monopoly of the former and are denied the latter. In no other country in the world is an attempt being made to solve the complex problems of a plural society on a basis such as this. For many years past race relations have continued to deteriorate in South Africa, to the grave detriment of all our peoples. An essential step towards halting this process is for the Government to cease imposing legislation upon the African and other non-White peoples without consultation with their leaders. We are convinced that the only wise course in this particular matter would be for the Government to abandon this legislation and to consult the African people through their leaders as to the course of their future political development.

XXXXXX

The Assistant Director,
S.A. Institute of Race Relations,
P. O. Box 97,
CAPE TOWN.

31st March, 1959.

Dear Mr. van Wyk,

With reference to your discussion on the phone with Mr. Whyte, regarding various aspects of the present Parliamentary situation here and other matters, I have to inform you that

- 1) PROMOTION OF BANTU SELF GOVERNMENT BILL: A statement on this will be made by the President, Advocate Molteno - timed to coincide with the re-opening of Parliament.
- 2) HISTORY OF NATIVE REPRESENTATION IN PARLIAMENT: Advocate Molteno is working on this and will forward same to you early in April.
- 3) MEETINGS OF INSTITUTE MEMBERS TO DISCUSS PROMOTION OF BANTU SELF GOVERNMENT BILL: An urgent Meeting of the Regional Committee is being called to discuss this, and you will be advised of the outcome thereof in due course.
- 4) WESTERN CAPE'S VIEWS ON IMPLICATIONS OF PRESENT SITUATION IN THE FEDERATION: As the contentious Bill contemplated by the Federal Government has been withdrawn and as the information at this juncture on the situation in the Federation is available only from the Press, it would appear to be almost impossible for us here to assess the situation in any way accurately. I will communicate further with you on this subject later.
- 5) ALL AFRICAN DEPUTATION TO SEE MINISTER (DE WET NEL) ON NATIVE LAWS AMENDMENT BILL, WOMEN'S PERMITS AND OTHER MATTERS: It was felt that a Deputation of Africans consisting only of Institute members would really be very ineffective in that the Deputation would not be representative of African opinion generally. If, however, Luthild (who is of course incidentally a member of our Executive) and other leading Africans (members of the A.N.C. or otherwise) were to be included on such a deputation, it is felt here, something really might result then.
- 6) EXTENSION ACTION COMMITTEE TO INVESTIGATE STATE OF TENSION EXISTING

THROUGHOUT

The Assistant Director

31st March, 1959

THROUGHOUT THE UNION: It was felt that without further information from you on this development no opinion can be expressed thereon and it would therefore be unwise to initiate any Regional Action, particularly in view of the fact that a constantly changing state of tension and crisis exists (and has done so for the past ten years) throughout the country, with which the Institute is constantly dealing normally and under ad hoc circumstances.

I write this in great haste and will contact you again within the next few days.

With kind regards to you and Maudie,

Yours sincerely,

(Mrs.) Kathleen R. Matthews
REGIONAL SECRETARY.

STATEMENT ON THE PROMOTION OF BANTU
SELF-GOVERNMENT BILL.

The Promotion of Bantu Self-Government Bill

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BY AIRMAIL

Ref:

SOUTH AFRICAN INSTITUTE OF RACE RELATIONS (INC.)
SUID-APRIKAANSE INSTITUUT VIR RASSEVERHOUDING (INGELYF.)

<p>To: Regional Secretary, S.A. Institute of Race Relations, 205 Bree Street, CAPE TOWN.</p>	<p>From: Administrative Assistant, Head Office, S.A. Institute of Race Relations, P.O.Box 97, JOHANNESBURG.</p>
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14th April, 1959.

Dear Kathy,

REGIONAL MEETINGS ON PROPOSED "BANTUSTAN" LEGISLATION

Since your regional meeting on the above is being held earlier I hasten to send you the material Head Office has prepared, which is being sent under separate cover.

I am sending 30 copies each of the Bill and the White Paper and 150 copies each of extracts from the January Council Findings and a 1951 memorandum which is relevant on Bantu Authorities.

It was thought up here that the Bill and White Paper should only be handed to members of the Regional Committee and the Executive Committee, since the general run of members are unlikely to be able to make head or tail of them anyway. Please note that these are NOT for sale since it is illegal to sell reproductions of Government publications apparently.

The other memoranda are for sale in the usual way. I had hoped to prepare these with covers, but since your meeting is so soon have been unable to do so, and anyway there is no point in putting covers on when the Institute statement is not yet available for inclusion. I am holding back copies for the other regions until I receive the statement from you, so that I can include it for them.

Anyway I am sending down 150 back covers and 150 front covers which I have prepared for you so that they can be stapled down there just before the meeting and if necessary the Institute's statement can also be added if it has been released in time. I do hope this is of help to you. As you see the "booklet" will be sold at a sixpence.

Yours,

Shirley

Ref:

SOUTH AFRICAN INSTITUTE OF RACE RELATIONS (INC.)
SUID-AFRIKAANSE INSTITUUT VIR RASSEVERHOUDING (INGELYF.)

To: **The Regional Secretary,
S.A. Institute of Race Relations,
203 Bree Street,
CAPETOWN.**

From: Head Office,
S.A. Institute of Race Relations,
P.O.Box 97,
JOHANNESBURG.
2 April 1959

Dear Mrs. Matthews,

re: Promotion of Bantu Self-Government Bill.

As you know, the first reading of the above-mentioned Bill took place in parliament about a week ago. It is expected that the second reading will take place some time in May.

One of the clauses of the Bill seeks to abolish the Natives' representatives in Parliament.

The General Purposes Committee considered this matter at its last meeting and decided that the Institute should call on its Regional Committee to convene regional "information" meetings in order to explain the implications of the Bill to Institute members and their friends.

At a subsequent meeting of the Action Committee the following suggestions were made:

- (a) Regions should call the meetings in May, preferably during the first half of that month;
- (b) Regions should consider inviting three speakers to address their meetings, as follows:
 - (i) A person, preferably a lawyer, to analyse the Bill;
 - (ii) A person, preferably a member of the Institute who is acquainted with the Institute's point of view, to deal with the general argument and also the Government's White paper (See recent Council findings - RR.41/59). This speaker will naturally have to deal with the position of the urban African vis-à-vis the Bill.
 - (iii) An African to give the African's re-action to the Bill.

Head Office will furnish Regions with as much basic material as possible, including the following:

- (a) The Institute's statement on the Bill which is being prepared in Capetown and which will be released at the time of the second reading. Advance copies will be sent to Regions, if possible;
- (b) A paper by our President, Mr. D. B. Molteno, Q.C., giving the history of the Natives' Parliamentary representatives - probably in pamphlet form;
- (c) Memorandum RR.79/1951, being comments by the Institute on the Bantu Authorities Bill. In this regard, it will be necessary for the second speaker to study the Bantu Authorities Act, 1951 (Act No. 69 of 1951. See Government Extraordinary Gazette No. 4658 dated 17th July, 1951.)
- (d) Copies of the Bill and of the Government's White Paper. (These are being roneoed now).

Yours sincerely,


F. J. van Wyk
ASSISTANT DIRECTOR.

PS I realize that you know about this & that you are already planning. This letter is, therefore, just "for the records". We have, incidentally, not yet received your letter (it is now Thursday afternoon), but the Bill. Fortunately we were able to borrow a copy of the Bill & the White Paper. Finally hope last night went well
Regards, FW

New Institute Analysis: "Apartheid and the Trade Unions"

An important and highly topical new Institute study entitled "Apartheid and the Trade Unions" will be published shortly. Written by the Institute's Technical Officer, Miss Muriel Horrell, it will be distributed nationally as a soft-cover book, and will examine participation by African, Coloured and Asian workers in South Africa's trade union movement; the re-alignment since 1954 of co-ordinating trade union bodies; the effect of the Industrial Conciliation Act on racially mixed unions; job reservation; inter-group attitudes in the trade union movement; and the future of non-white unions.

~~Institute to~~

New Pamphlet by Mr. Donald B. Molteno, Q.C., on "Native Representation"

A new pamphlet on the parliamentary representation of Africans will be published by the Institute this month. It has been written by the Institute's President, Mr. Donald B. Molteno, Q.C. who, as a past Natives' Representative in parliament and as a distinguished advocate, is ideally qualified to make an authoritative survey of this highly topical institution. The pamphlet will cost 2s. 6d. and will be nationally distributed.

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