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

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FINDINGS OF COUNCIL, JANUARY 1959.

THE NEED FOR A NEW SYSTEM OF GOVERNMENT IN SOUTH AFRICA.

South Africa is a multi-racial society, that is a plural society in which there are included in the same State population groups, based on racial divisions, such groups being of significant actual or potential political power.

At present actual political power is the monopoly of one race. That position is unjust and it cannot be perpetuated. The need for devising a means of peaceful change to a system of government in which political power is shared by all the races and in which each race has a real sense of participation in government is urgent. Unless this is achieved there can be no hope of a stable political order in South Africa. The ultimate aim must be to establish a form of society in which persons will have ceased to regard themselves primarily as members of a particular race and will have come to think of themselves as members of a single national community.

A system of government will be required based upon a constitution in many respects radically different from the present constitution, which was framed by members of one race only, fifty years ago. The task of drafting such a constitution will need the co-operation and goodwill of all the races. One of the main objects of that constitution will be to ensure that no section of our multi-racial society shall have power to dominate or oppress any of the other sections and that each section shall be free from the fear of domination or oppression as far as possible. A national convention, truly representative of all races, will have to be called together and entrusted with the business of drafting such a constitution.

One of the fundamental tasks of such a convention will be to determine the qualifications for the franchise, which, of course, will not be based upon race.

Whatever franchise may be agreed upon, the convention will have to define the individual rights which are to be regarded as fundamental and to devise means whereby effective protection is given to such rights. A Bill of Rights, suitably and adequately protected against legislative and executive invasion, will have to be framed. The best form of such protection is a rigid constitution safeguarded by an independent judiciary. Such a Bill of Rights, so protected, will be the cornerstone upon which peaceful and fruitful co-operation in a multi-racial society may be built.

The convention will also have to consider whether a measure of regional devolution is desirable. Such devolution, if decided upon, may as a result of the division of power, furnish further safeguards against domination.

RECENT LEGISLATION.

1. In general, recent measures which flow from the Government's unswerving determination to implement its apartheid policy continue to follow the now familiar pattern. These measures place wide and arbitrary powers in the hands of the Executive, override the will of the local authority, invade individual and group freedoms, enforce racial separation in spheres which should be immune to interference by the State, and in general impose harsh and soul-destroying restrictions upon the under-privileged groups who are denied access to the normal machinery of consultation and consent. In consequence of this restrictive and repressive legislative process, we witness not only a steady deterioration in race relations, but, what is even more distressing, an erosion of those moral and spiritual values without which no civilised society can endure.
2. The Institute notes with approval the intention of the Government to introduce legislation incorporating progressive ideas and implementing certain recommendations of the Lansdown Commission which are in line with enlightened development in the field of penal and prison reform.
3. On the other hand, the closing of the Durban International Club and the exclusion of Africans from cinemas in the major cities are further deplorable examples of the Government's determination to eliminate all points of contact between members of the various racial groups, to curtail the already inadequate facilities for Non-European recreation, and to whittle away the powers of local authorities. In Johannesburg we have witnessed the unfortunate attempt of the Minister of Bantu Administration and Development to impose a ban on social gatherings, outside the Native urban areas, at which Africans may be present. We note that the Minister has denied that he intended the ban to be of general application, but nevertheless his threat to amend the Natives (Urban Areas) Act to enable him to impose such a ban without the consent of the City Council, indicates that the Government is prepared to discard the principle of co-operation and consultation as soon as its designs are questioned or thwarted.
4. In the field of University education, Council affirms the principles outlined by the Hon. A. van de Sandt Centlivres in his opening address - and stresses in particular the fact that true university training is based on the "universals" of our heritage, whose spirit is contradicted by narrow tribalism and ethnic grouping. Council records the fact that the Fort Hare University College has had a long and praiseworthy history and feels that its efforts to meet the needs of all Africans and other Non-Whites who desire true university education in a common institution in Africa South of the Sahara should be supported and furthered.
5. The Institute is emphatic that the present form of representation of Africans in Parliament is utterly unsatisfactory and inadequate, but is opposed to any legislation which will reduce even their existing rights. The Institute maintains that in keeping with current trends of political advancement in Africa all sections of the population must be adequately and effectively represented in both central and local governments.

Coloured Mission Stations and Reserves.

The Council, in re-affirming the principles of freedom of worship, is strongly opposed to Regulation 88 of 25 October 1957, issued by the Minister of the Interior under the Mission Stations and Communal Reserves Act, No 29 of 1909 as amended, as unduly limiting freedom of assembly and of worship in Coloured Mission Stations.

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