

EXTRACTS FROM MEETING OF EXECUTIVE COMMITTEE - 5th to 7th JULY, 1944.

URBAN NATIVE PROBLEMS:

Native Policy in Urban Areas -

- A. Dr. J.N. Reedman introduced the memorandum of the sub-committee of the General Purposes Committee - (R.R.75/44).
- B. In the discussion which followed, the following points were raised :-
 - a. There is a great deal of friction and disunity amongst Africans themselves, which make it difficult for efficient local government to function.
 - b. Experiments must be made and failure must be expected.
 - c. The letter to municipalities suggested at the Council Meeting in January, 1944, should be sent out. (The Director explained that owing to his illness he had been unable to do so).
 - d. The reaction of 90% of municipalities to proposals for representation of Africans on town councils, either by Europeans or Africans, had been hostile.
 - e. The point that Africans in town are actually employed and that there is no real unemployment should be brought home to the municipalities.
 - f. Properly elected bodies should be larger than the present Advisory Boards.
 - g. The question of finance was most difficult. Rates from African townships would be insufficient by themselves to maintain a local government.
 - h. The Provincial Administration today is incompetent in the field of local government.
 - i. It should be remembered that in the Cape, if an African occupies a house worth £200, he can be put on the voters' roll and can be elected to a Town Council.
 - j. Great care would have to be taken that the bad principle that the poorest section of the community should pay for itself was not established.
 - k. It is difficult to see how one large community could be broken up into separate entities, as suggested in the memorandum. The needs of the whole community should be the starting point.
 - l. Direct representation on municipalities for Africans must be fought for.

The sub-committee consisting of Adv.D.B.Molteno, M.P., Mr. J.R.Cooper and Dr. J.N. Reedman, made the recommendations as set out below :-

- 1. Local Government - In the Cape Province the existing constitutional rights of Africans to the municipal franchise and to membership of municipal councils should be maintained. The

Institute should watch the position in that Province with a view to :-

- (a) securing to Cape urban Africans the practical enjoyment and exercise of the above rights.
- (b) counteracting hostile moves directed against the above rights as the standard of African housing is raised (occupation of rateable immovable property to the value of £200 and upwards is a qualification for the municipal franchise in the Cape) and hence ensure that urban Africans secure enrolment as municipal voters.

2. In the Northern Provinces, further development in the field of local government, with particular reference to the position of urban Africans, should be preceded by a refashioning of the existing financial relations between local authorities, the central government and the Provincial Administrations. Broadly speaking, this refashioning should proceed on the basis of the laying down of minimum standards governing the provision of municipal or local services by the Central and/or Provincial authorities, and, where necessary, the subsidisation of local authorities, whose financial resources are not equal to maintenance of such standards, according to an agreed formula. It is recommended that the Institute conduct an investigation into the implications and practicability of the application of principles of the above nature in the Union in the light of local conditions and the experience of other countries. The co-operation of the departments of local government of the universities should be sought in conducting such investigation.

3. Subject to financial arrangements on the above lines being established to meet the case of small or financially weak local authorities, the following alternative forms of African local government and representation are suggested :-

- (a) Where conditions are suitable, the excision, by administrative action, of African locations or townships from the jurisdiction of the urban local authorities under which they now fall and the constitution for such segregated African areas of local authorities of their own. Such local authorities should be constituted in terms of existing legislation - e.g. the Native Administration Act, 1927, as amended. In this connection an investigation by the Institute into the forms of African urban local authorities that have been set up in accordance with the principles of "indirect rule" in other parts of Africa might prove of value for the purpose of making constructive suggestions as to the form of local government to be instituted in the event of the Governor-General's powers under the Native Administration Act being utilised for this purpose.
- (b) In the event of local conditions in particular localities not proving suitable for the application of the above procedure, direct representation of locations and other African segregated areas upon municipal councils should be pressed for.

4. The sub-committee felt that the establishment of the principles embodied in the suggestions in paragraphs 2 and 3 above would have the advantage of placing upon existing urban local authorities the onus of decision as to whether they are prepared to grant direct municipal representation to the African communities within their jurisdiction or whether to lose control over such communities. At the same time the adoption of the minimum civic standards

principle would safeguard African communities excised from existing municipal jurisdictions from entire dependence on their own slender rate-paying capacity.

5. Advisory Boards - Pending the achievement of the above reforms, it is recommended that every encouragement be given to local authorities to make the existing advisory boards function effectively. The following specific administrative measures should be pressed for in this connection -

- (a) Advisory Boards should hold public sittings.
- (b) The sittings should be regular, the boards meeting not less than once a month.
- (c) Unofficial chairmen - i.e. other than the location superintendent or a member of the municipal staff - should in all cases be appointed.
- (d) Wherever practicable, the secretary of a board should be an African.
- (e) Suitable administrative functions - e.g. the settlement of disputes between location residents, the allocation of location accommodation etc., - should be delegated to the boards or individual board members.
- (f) Properly qualified location superintendents should be appointed. Such qualifications should include, apart from knowledge and experience of municipal administration and the needs of urban Africans, some legal training.
- (g) The machinery for election of board members should be overhauled with a view to rendering it fully democratic.
- (h) Wherever practicable, proper secretarial assistance should be made available to boards.

In addition, it is suggested that the Institute undertake an investigation into the relationship, in the case of the various local authorities, between expenditure on location services and the Native Revenue Account.

6. Status of and accommodation for Africans in urban areas.

The Institute should strive to achieve explicit and practical recognition of the right of Africans to reside permanently in urban areas. In this connection the objective should be the stabilisation of the African urban population - i.e. the permanent residence in urban areas of an African population corresponding with local employment and vocational opportunities for Africans and the emancipation of urban industrial areas from dependence upon migratory African labour from the countryside. With this end in view, local authorities should be encouraged to make full use of the facilities provided by the Housing Act, as amended, to make full and proper housing facilities available for Africans up to the limit of the size of the African population which it is estimated will require to be provided for according to the above criterion. Not only should local authorities themselves embark on housing schemes, but government loans should also be made available to individual Africans to build their own houses on land available for purchase by them in terms of the Urban Areas Act, as amended S.5(2)(b). The fullest use should be made of the Minister's powers under that provision. The decision of the General Purposes Committee to press for the appointment of a sociologist to the Housing Commission is supported. It is recommended further that the Institute conduct an investigation into the application of the principle of differential renting to African urban communities. That principle is supported and the Institute should press the Government to use its powers to impose it in the case of African sub-economic housing schemes.

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