

A SURVEY OF  
RACE RELATIONS  
IN SOUTH AFRICA  
1954 — 1955

BY  
**MURIEL HORRELL**  
TECHNICAL OFFICER  
SOUTH AFRICAN INSTITUTE OF RACE RELATIONS

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## POLICIES AND ATTITUDES

## Political Parties represented in Parliament

The Non-European policies of the political parties and groups among Whites and Non-Whites in South Africa were outlined in the booklet *Non-European Policies in the Union and the Measure of Their Success* published by the Institute of Race Relations during 1954. Since then there have been no major changes: attitudes to current circumstances and events, development of Government policy, and reaction of opposition groups to the emergence of details of this policy, are reflected in the chapters that follow.

There have been some interesting pronouncements on general policy, however. The Prime Minister has made it completely clear<sup>(1)</sup> that the National Party stands for White domination or *baasskap*, not leadership. Leadership can only be voluntary, he said, thus can exist only if there are equal rights between White and Non-White, the latter then voluntarily entrusting leadership to the former. His Party has no intention of changing the franchise laws in such a way that the White man will no longer have the power in his hands: it is determined that the White man shall remain the master.

On another occasion he said,<sup>(2)</sup> 'There are two roads we could follow. The one road can eventually lead to Native domination in South Africa. The logical conclusion of the other road, which one can state as an ideal, is total territorial segregation . . . . . In the process of achieving that — and it will take a long time — each generation should formulate its own attainable political policy and state what it wants to do.' The Prime Minister was quoted in *Die Burger* of 15 September 1954 as having said that although total apartheid is perhaps the ideal solution, it is not capable of being implemented under existing circumstances, nor is it likely that it would be accepted by the present electorate. The Government is laying the foundation upon which successive generations can build — in the direction of total apartheid, should this prove to be practicable and essential. In a Christmas message to the African people in 1954<sup>(3)</sup> the Prime Minister talked of 'the preservation of one's heritage and development on those lines.' The road of self-development towards maturity would be a long one for the African people, he said, but through the Bantu Authorities Act, the Bantu Education Act, and other measures, this road had been opened for them.

The policy deemed 'attainable' by the present Government, embracing *inter alia* the demarcation of group areas, tighter control of influx of Africans to 'White' areas, preservation, so far as is

(1) Assembly, 19 April 1955, Hansard 11, cols. 4141-2.

(2) Assembly, 28 January 1955, Hansard 1, col. 199.

(3) Broadcast speech, published subsequently in *The Star*, 21 December 1954, and numerous other papers.

possible, of skilled work in these areas for Whites, development of traditional Bantu authorities, and diversification of the economy of the Native reserves, is described in the following chapters.

During the year under review, the United Party has codified its policy. The Party, it states, stands for White leadership based on justice and fair play, and considers that a long process of training in the responsibilities of democracy lies ahead of the Africans. The door should not be closed, however, to their legitimate aspirations, and they should gradually be given a more definite and secure place within the orbit of the western way of life. The Party accepts that industrialization has led to a large and permanently detribalized African urban population which has become an integral part of the South African economy. The process of integration of African workers in the various branches of economic activity is a dynamic one, bound to continue. It should be regulated and controlled, however.

The United Party considers that Non-European policies should be flexible, for the situation in the Union is a developing one. Certain practical steps are advocated for the present. The number of senators elected by Africans should be increased from four to six, educated Africans being given a personal vote in the electoral colleges. Organizations should be established at various levels through which educated Africans can maintain liaison with existing instruments of government, the elective principle being retained and developed, and local-government bodies should be given increased responsibility. A Ministry of Housing is required to undertake far-sighted regional planning (providing, *inter alia*, for the residential separation of the racial groups) and to carry out energetic housing programmes, for which the state should assume financial responsibility. People displaced from their homes under regional-planning schemes should be fully compensated, and not moved until alternative accommodation is available. The wives of permanently urbanized African men should be allowed to join them, strictly controlled freehold rights being granted to such families as qualify in terms of conditions to be imposed. The impact of pass laws ought to be rendered less harsh, further classes of Africans exempted from their operation, and the emphasis switched from compulsion to guidance.

Traditional colour bars should be maintained in order to protect the White man's standard of living, the United Party considers, but by means of collective bargaining between workers and employers rather than by legislation. African education should be under the Department of Education, not Native Affairs, but the system ought to take into account the standard of living and type of work available to Africans. An energetic programme for the development of the reserves is required.

A statement by Mr Strauss (the leader of the United Party) on the future policy of the Party in the event of the removal of Coloured

voters from the common roll, led to the resignation of Dr B. Friedman (see page 31). Mr Strauss's amended statement was accepted by the seven other members who, with Dr Friedman, had dissociated themselves from the original statement.

The six 'right-wing rebels' who were expelled from the United Party during 1954 formed a new political party during the year under review — the National Conservative Party.

Policies of this group and of the Labour and Liberal Parties were outlined in our last *Survey*<sup>(4)</sup>. The main developments have been in regard to views on the political representation of Non-Whites, which are dealt with on page 54.

The strengths of the parties in the Assembly at the time of writing are: National Party 94, United Party 50, Conservative Party 7, Labour Party 5, Liberal Party 2, Independent (a Natives' Representative) 1. The composition of the Senate, which is to be radically altered, is described on page 23.

#### Non-White organizations

The past year has been an intensely demoralizing and confusing one for the Non-White people. There was a great upsurge of feeling amongst them in 1952 when the Defiance Campaign was embarked upon with the aim of securing the repeal of all legislation considered to be discriminatory. Considerable fervour and willingness for self-sacrifice were revealed. As will be recalled, the campaign was suspended at the end of the year. Many of the leaders were proscribed; the Public Safety and Criminal Law Amendment Acts were passed, in terms of which, *inter alia*, extremely severe penalties were laid down for those found guilty of offences, or of incitement to offences committed by way of protest against the laws of the country; and the campaign was not renewed. Since then the official policy of 'control' has continued — the police have raided the homes of leaders and have taken notes at meetings, passports have been refused to those who have made 'political' speeches, teachers who associated themselves with school boycotts have lost their jobs, the presence of 'informers' in the townships is suspected.

Political leaders of the African National Congress, the S.A. Indian Congress, and the S.A. Coloured People's Organization continue to work together for the implementation of a Freedom Charter and on other projects, but their following has dwindled.

There has been an intense campaign by representatives of the Government to persuade Africans that their salvation lies in the preservation of their heritage by separate development along the road opened by the Bantu Authorities and Bantu Education Acts. Posts carrying prestige and good pay are available to Africans on the staff of organizations set up in terms of these measures, and increased authority is offered to African local-government bodies

(4) Pages 4-6.

that are willing to work in accordance with the principles of the Acts. Thousands of Africans have accepted the Government's policy. A new organization, called the 'S.A. Apartheid Association,' has recently been formed. On the other hand, particularly among many of the younger men in the towns, there has been a growth of extreme nationalism, often anti-White and anti-Indian, as opposed to the tribal solidarity and maintenance of past traditions which are encouraged by the Government. There is thus deep division and confusion among the African people. Many of the leaders of the African National Congress have striven to preserve their balance, but the complexities of the present situation have caused indecision, the younger members have sometimes gone their own way, and the organization has lost prestige.

The Cape Coloured community has never been a united one: it has been tellingly described<sup>(5)</sup> as a 'statutory category,' not a race or a nation. Discriminatory legislation on the basis of skin colour has caused the Coloured people to be deeply conscious of colour: those who are light-skinned have aimed at 'passing' into the ranks of the Whites, hence have shunned association with their darker fellows. This ambition will be impossible of fulfilment when the Population Registration Act is fully implemented, but even during recent months when there has been great apprehension caused by the racial classification in progress and hopelessness engendered by repeated attempts to place Coloured voters on a separate roll, no greater unity has emerged. Some Coloured people accept material advantages offered by the Division of Coloured Affairs; others consider that recognition of this division implies acceptance of a lower status; many have come to believe that their future lies with the African rather than the White man; other sections fear that if they align themselves too closely with the Africans or Indians they will in the long run only worsen their status.

The position of the Indian people is even more difficult, torn as so many of them are between sentimental ties with India or Pakistan and their allegiance as South African citizens, and finding little encouragement in the policies of the major political parties. The Indian community, too, continues to be divided.

### The Congress of the People

The Congress of the People, planned during 1954, was called by the 'Congress movement' — the African National Congress, S.A. Indian Congress, S.A. Coloured Peoples' Organization, S.A. Congress of Trade Unions<sup>(6)</sup>, and S.A. Congress of Democrats.<sup>(7)</sup> During preceding months invitations to the meeting had been very

<sup>(5)</sup> By Mr Maurice Hommel, a Coloured teacher, writing in *The Star*, 8 September 1955.

<sup>(6)</sup> See page 170.

<sup>(7)</sup> A European organization, formed late in 1952, which was in sympathy with the motives of the Defiance Campaign and set out to place opposition to laws deemed unjust on a non-racial basis.

widely distributed to organizations and groups of workers. People were asked to form local committees, to discuss their ideas of how South Africa should be governed, and their grievances against the present system, to formulate their suggestions and 'demands' and send these to the central committee by a set date, and to elect delegates to represent them at the Congress of the People. After receiving the resolutions, the central committee drafted a 'Freedom Charter.'

About 3,000 accredited delegates, including over 100 White people, gathered in Kliptown, Johannesburg, on 25 and 26 June 1955, to discuss the draft charter. They came from as far afield as Cape Town and Durban. It was alleged that numbers of them were delayed by the police on the way, some being held on minor charges and refused permission to proceed. The meeting was raided by about 200 armed White and African policemen: some formed a cordon round the area, while others, after presenting a search warrant to the chairman which stated that they were investigating a charge of treason and had come to look for 'inflammatory or subversive' literature, proceeded to search those present, to take all names and addresses, to photograph speakers and White delegates, and to take possession of speakers' notes, goodwill messages, and other papers. Meanwhile the meeting continued. Each clause was debated, and when the final draft had been adopted delegates sang the anthem *Mqibuye Africa*, then continued to sing until the police search had been completed.

It is stated in the Freedom Charter that South Africa belongs to all who live in it, and that only a democratic state based on the will of all the people can secure to all their birthright without distinction of colour, race, sex or belief. Delegates pledged themselves to strive together until the democratic changes they considered necessary had been won. These included the introduction of a universal franchise, every adult having the right to stand for election to governing bodies and to participate in the administration of the country, and the repeal of all laws which discriminate on grounds of race, colour or belief. The preaching of discrimination on such grounds should be rendered a punishable offence. Banks, mines, and monopoly industries should be nationalized and the land re-divided amongst those who worked it. Police raiding of private dwellings should be abolished; no-one should be imprisoned, deported, or restricted without a fair trial; there should be equality of economic opportunity, no child labour or compound labour, and freedom of speech, movement, and association. People should be free to live where they wished, slums should be abolished, education be rendered free, compulsory, and equal for all, and free medical care and hospitalization be made available to everyone.

The Federation of S.A. Women<sup>(8)</sup> played an active part in the organization of the Congress of the People.

<sup>(8)</sup> See last *Survey*, page 13.

### The Churches

The views of the churches on the policy which lies behind the Bantu Education Act are set out on pages 177 to 181: except for the Dutch Reformed Churches they are strongly opposed to it. The Synodal Commission of the *Nederduitse Hervormde of Gereformeerde Kerk* considers that it is a natural development that the state should accept responsibility for the control of Bantu education, and that there is nothing in the Government's educational policy which necessarily conflicts with recognized Christian principles (see page 180).

A meeting of the Board of Churches of the Federated Dutch Reformed Churches of South Africa, held during May 1955, considered the report of a commission it had appointed to inquire into the scriptural doctrines on race relations. It was stated in this report that those who preach equality between White and Black fail to realize that God willed and perpetuated the different races. On those who were spiritually and culturally advanced, however, rested the responsibility of protecting and helping the less advanced. It transpired, during discussion, that not all the members of the commission had been invited to attend its deliberations. The report was unanimously rejected by delegates from the four provinces, the commission was annulled, and a new one appointed.

At this meeting three delegates who had attended the second assembly of the World Council of Churches, held at Evanston, U.S.A., during 1954, reported on the proceedings. It will be remembered that the assembly asked the churches to discontinue racial segregation among their own congregations, and to protest against any law or arrangement which is unjust to any human being or makes Christian fellowship impossible. It was made clear that the churches could not approve of any law which discriminates against persons on grounds of race. The assembly recognized that many churches found themselves confronted by circumstances which make the immediate achievement of non-segregation extremely difficult, but expressed confidence in their strength and courage to overcome such difficulties.<sup>(9)</sup>

The Board of Churches of the Federated Dutch Reformed Churches agreed that, particularly in view of the struggle between Christianity and communism in the world to-day, they had to continue to associate themselves with the ecumenical movement.

Two interesting articles on race relations have been published in *Die Kerkbode* (the official organ of the *Nederduitse Hervormde of Gereformeerde Kerk*) during the past year. The editorial article in an issue during August stated that clashes between Whites and Non-Whites in ordinary life, resulting from small daily slights, were largely responsible for tension between the races. It pleaded for a

<sup>(9)</sup> Reports of the proceedings of this assembly have been printed under the title *Evanston Speaks*.

Christian attitude towards life as a basis for racial co-operation. Professor G. B. A. Gerdener, a member of the Federal Missionary Council of the D.R.C. and chairman of SABRA, contributed an article to an issue during July in which he said that White missionaries in Africa would in future have to work more in co-operation than in domination, more in partnership than in *baasskap*. This last word, he said, does in any case not fit into the Christian terminology.

Discussions held during 1951 and 1952 between White representatives of the Dutch Reformed Churches and their African congregations, and the conference of White leaders of S.A. Protestant Churches convened by the Federal Missionary Council of the D.R.C. during 1953, were described in our last *Survey*.<sup>(10)</sup> A second conference of Protestant Church leaders, but this time an inter-racial one, was convened by the Federal Missionary Council in December 1954. Again the Institute of Race Relations did the organizational and secretarial work. Twenty-five other churches, including African separatist churches, were invited to participate, each being free to determine the composition of its delegation with the stipulation only that at least one member should be a Non-White person. The opening paper was given by an African.

Discussions revealed a realization by delegates of their responsibilities as Christian leaders, and not as leaders of any particular race or group. There was no general agreement on the principles of apartheid or integration, nor had it been anticipated that there would be; but there was agreement that there was need for united Christian action against the many evils facing South African Christians, and that there was ground for common action. In resolutions that were unanimously adopted, delegates declared that they recognized and accepted one another as brothers in Christ, and they undertook to use every opportunity to practise the fellowship of believers. They called on all Christian persons to do likewise, and to treat every human being with honour and respect. The Conference suggested that an evangelical campaign be held throughout South Africa every year, during which there would be exchange of pulpits. It requested the government to provide £10 million annually, over and above sums already allocated, for the social, educational, and economic development of the Non-White peoples, and stated that the transfer of Bantu education to the state placed a great responsibility on the churches to concentrate on the religious education of all young African people.

A Continuation Committee, of three adherents of the D.R.C., one of the Anglican Church, two (one of whom is an African) of the Methodist, and one of the Presbyterian, was set up to arrange a similar conference at least once every three years, to arrange for consultations between the churches, to consider the establishment of an inter-church study group, to arrange a discussion with the

<sup>(10)</sup> Page 16.

separatist churches, and to consider the recommendations and practical suggestions made during the conference. The Institute of Race Relations is facilitating the work of this committee by lending the services of its Assistant Director.

### **S.A. Bureau of Racial Affairs**

At the annual meeting of the S.A. Bureau of Racial Affairs (SABRA) held in Stellenbosch during January, its chairman, Professor G. B. A. Gerdener, restated its aims. SABRA's ultimate ideal, he said, was the achievement of a state of affairs in which the White and Non-White groups would each have the opportunity for a free existence without any clash between the two. This could best be achieved by separate development. This did not mean the creation of watertight racial groups, the complete removal of every White person from Non-White areas or *vice versa*, but implied that each would be in the nature of visitors in the other's territory, their civil rights and obligations existing in their own areas. One of the most important problems inherent in the policy was the use to be made of African labour outside the Native areas: the numbers of such workers would have to be reduced. The application of separate development would involve considerable sacrifices, but it was the greatest error to make economic considerations the deciding factor in the handling of racial problems.

SABRA's views on the future of the Cape Coloured people are described on page 47.

### **S.A. Political Science Association**

A public meeting to form the S.A. Political Science Association was held in Pretoria on 9 September 1955, Professor C. H. Rautenbach, Rector of the University of Pretoria, being in the chair. The intention is to form branches at all universities to study South Africa's political and administrative problems on a scientific instead of a party-political basis and to give the country's administrators in central and local government the benefit of academic knowledge and thought.

### **Proposed Africa Institute**

The S.A. Academy of Arts and Science plans to set up an Africa Institute to gather, sift, and publish information about all affairs affecting Africa. A comprehensive library will be built up for the use of other interested bodies and the general public.

### **'South Africa First' Movement**

The 'South Africa First' movement has recently been established in Pretoria by a group of business and professional men, with the aim of promoting a broad South African nationalism and fostering better mutual understanding between the two White sections of the population. It is hoped later to establish branches in other towns. Among those who have promised support is Mr N. C.

Havenga, the former Deputy Prime Minister. Study groups have been set up to examine particular aspects of matters that divide Afrikaans-speaking and English-speaking people. The movement has issued a statement on its Native policy, which is the achievement of territorial segregation on a voluntary basis by providing attractive opportunities for Africans in the reserves.

### **Research into matters affecting race relations**

Research projects affecting particular racial groups or concerned with matters such as employment, health, and so on are mentioned in later chapters of this *Survey*.

One of the broader research projects now in progress is the Border Regional Survey, being conducted by the Institute of Social and Economic Research at Rhodes University and financed by the National Council for Social Research. The Border area presents a unique field of research for all branches of social science because of the long-established contact between Black and White and the close juxtaposition of commercial and industrial centres such as Port Elizabeth, progressive White farming areas, and Native reserves where primitive agricultural methods still prevail. The survey is divided into four main sections: geographical and natural resources, an economic survey, a sociological study of the White and Coloured people, and a sociological study of the Africans. Another project in progress at the Institute of Social and Economic Research is a study of the history of Christian missions in the Eastern Cape.

The National Council for Social Research has also financed a comprehensive study of Non-White communities in the Western Cape, being carried out by the Departments of African Studies and Economics of the University of Cape Town, in co-operation with the University of Stellenbosch. The Faculty of Social Science at Cape Town is continuing its well-known intensive sociological surveys of Greater Cape Town and of Windermere.

The Institute for Social Research, University of Natal, is arranging an exploratory conference of social scientists and representatives of the Institute of Race Relations, to take place in January 1956, at which plans for a research project on inter-group attitudes will be discussed.

## REGISTRATION AND CONTROL OF THE POPULATION

### Progress of Population Registration

The process of registration of the African people, being carried out simultaneously with the issue of reference books, is described on page 67. Early in 1954 the Bureau of Census and Statistics made arrangements with private photographers to take the photographs of the remainder of the population which are required for identity cards to be issued under the Population Registration Act, No. 30 of 1950. Each photographer who agreed to participate in the scheme was given a supply of official forms to be handed out, and these had to be completed by members of the public and returned to the Bureau with the photographs.

In certain areas, for example, the whole of the Transvaal except the Reef and Pretoria, (1) all Non-African persons aged 16 and over have been required at their own expense to furnish the Director of Census with two copies of a recent photograph of themselves by a fixed date. No penalties are laid down for non-compliance, but the Minister of the Interior has said (2) that the time may come when people will be required to produce identity cards and those not possessing these may fall foul of the provisions of the Act.

Up to 13 May 1955, £423,098 had been expended on the population register (3). It was then estimated, the Minister said, that a total of 2,783,000 Non-African persons would have to be photographed. It is reported (4) that by 14 October the Bureau of Census and Statistics had 1,403,404 photographs on its files out of an estimated total of 1,848,191 already taken. In the Senate on 15 June the Minister gave details of the progress so far made. (5) Most of the work in Pretoria and on the Witwatersrand had been completed, he said, the undertaking was in full swing in the Western Cape and in a section of Natal, a provisional organization had been set up in a section of the Eastern Province, and preparatory work had been done in other areas. Except on the Witwatersrand, Coloured people and Asiatics had been included in the general undertaking, and the reaction of Asiatics in Natal and of Coloured people and Asiatics in Pretoria and district had been very disappointing.

The first identity cards were issued at a special ceremony in Pretoria on 14 October 1955, to the Governor-General, the Prime Minister, the Minister of the Interior, the Mayor of Pretoria, and their wives.

One of the difficulties facing the authorities is the time-lag during which more and more boys and girls attain the age of 16

(1) In terms of Government Notice No. 820 of 5 August 1955.

(2) Assembly, 9 May 1955; Hansard 14, col. 5280.

(3) Minister of the Interior, Assembly, 13 May; Hansard 14, col. 5592.

(4) *The Star*, 14 October 1955.

(5) Hansard 14, cols. 4106-7.

and thus fall within the provisions of the Act. A second major difficulty, which frequently has tragic human repercussions, is the classification of people of 'doubtful racial origin.'

### System of classification adopted

The extremely wide variety of definitions of racial groups in various laws points to the difficulty of classifying people into racial compartments. Scientists would probably say that the task is impossible. In an article contributed to the press, (6) Dr Edward Roux, Senior Lecturer in Botany at the University of the Witwatersrand, says that even trained anthropologists would give contradictory opinions if asked to pronounce on the racial make-up of particular persons. According to the science of genetics, although the chances of it are very small, individuals in a hybrid community may revert to one or other of the original types that went to make up the cross, even if no further intermarriage takes place with members of these original types. It is thus theoretically possible that certain people of 'Coloured' descent are, genetically speaking, completely White and others completely African.

According to the Population Registration Act, which one would expect would govern classifications made in terms of the Act,

- (a) a 'White' person is a person who in appearance obviously is, or who is generally accepted as, a White person, but does not include a person who, although in appearance obviously a White person, is generally accepted as a Coloured person;
- (b) 'Native' means a person who in fact is, or is generally accepted as, a member of any aboriginal race or tribe of Africa;
- (c) a 'Coloured person' means a person who is not a White person or a Native.

In the Assembly on 9 and 17 May 1955 the Minister of the Interior said (7) that persons of mixed descent might fall into any of the three groups, depending on circumstances. Persons of Euro-Asian and Euro-African descent would be classified as Coloured or Native: this, again, would depend on a number of circumstances, for instance, how far back the union took place, what mode of living the persons had to-day, and so on. In general, the striving on the part of a lower layer to obtain a higher status would be taken into account: unless special circumstances existed, such persons would have to assume the position of the lower layer. That was, however, a very broad generalization, he said.

In most laws in which racial groups are defined, as is the case above, the definition of a 'Coloured person' is arrived at mainly by negatives. There are no less than eleven definitions of a 'Native,' however, each differing in some respect from the others, and this

(6) *Sunday Times*, 4 September 1955.

(7) Hansard 15, col. 5735, and Hansard 14, col. 5228.

affects the determination in each case of what a 'Coloured person' is. Moreover, the factors governing classification of a 'White person' generally include appearance and general acceptance: the first is a matter of opinion and the second may be difficult to prove. This again means that the line of demarcation between the Coloured group and others is certainly no clear one.

A few examples are quoted to show how indefinite the legal line of demarcation between the Coloured people and Africans is.

1. In terms of laws governing residence in urban areas,<sup>(8)</sup> a person is classified as Coloured if he is not a member of any aboriginal race or tribe of Africa and, if required to do so, can prove this.
2. In terms of laws governing passes, trade unions, population registration, and education,<sup>(9)</sup> an additional factor is introduced: a Coloured person cannot be classified as such if he is generally accepted as an African.
3. Under some of the laws governing employment,<sup>(10)</sup> such as those dealing with residence, a person is Coloured if he in fact is not a member of any aboriginal race or tribe. But other laws concerned with employment<sup>(11)</sup> introduce further factors: in certain cases Coloured people may be considered to be Africans if they pay general or local taxes (defined sub-groups of Coloured people are excluded), or if they live in an African location under the same conditions as an African.<sup>(12)</sup>
4. Five more factors are included in laws dealing with the franchise and land apportionment.<sup>(13)</sup> A Coloured man may be classified as an African if:
  - (a) he (or she in each case) was born of parents either of whom was an African, unless:
    - (i) this marriage was contracted prior to 1936, or
    - (ii) the person concerned was born before 1936 and is by general acceptance and repute not an African;
  - (b) one of his grandparents was an African, unless:
    - (i) their marriage was contracted prior to 1936, or

(8) Natives (Urban Areas) Consolidation Act, No. 25 of 1945, and Natives Resettlement Act, No. 19 of 1954.

(9) Natives (Abolition of Passes and Co-Ordination of Documents) Act, No. 67 of 1952, Native Labour (Settlement of Disputes) Act, No. 48 of 1953, Population Registration Act, No. 30 of 1950, Bantu Education Act, No. 47 of 1953.

(10) Native Labour Regulation Act, No. 15 of 1911, Unemployment Insurance Act, No. 53 of 1946, Native Service Contract Act, No. 24 of 1932, Native Building Workers Act, No. 27 of 1951, Native Services Levy Act, No. 64 of 1952.

(11) Workmen's Compensation Act, No. 59 of 1934, Registration for Employment Act, No. 34 of 1945, Silicosis Act, No. 47 of 1946.

(12) Disability Grants Act, No. 36 of 1946.

(13) Representation of Natives Act, No. 12 of 1936, Native Trust and Land Act, No. 18 of 1936.

- (ii) the person concerned and his parents are by general acceptance and repute not Africans;
  - (c) he wishes, for the purposes of the Acts concerned, to be regarded as an African;
  - (d) he uses one or other Native language as his customary and natural mode of expression;
  - (e) he follows in his ordinary or daily mode of life the habits of Africans, or associates generally with them under African conditions.
5. Finally, a Coloured woman who marries or co-habits with an African or Asiatic is deemed to have become an African or Asiatic respectively.<sup>(14)</sup> She is not allowed to marry a White man, but if she acts illegally in co-habiting with one she remains Coloured. Asiatic or African women who marry or co-habit with Coloured men become Coloured.

(It is reported that, in practice, officials from the Bureau of Census and Statistics are classifying Coloured men married to Africans as Africans).

This variety in the definitions arises from the requirements of different situations, dealt with in different laws. Action under any law has been confined to the definition contained in that law. In other words, it has in the past been possible for a man to be regarded as Coloured for some legal purposes and as an African for others.

The Population Registration Act itself does not specify what action should be taken by officials in such cases. It appears, however, that in practice they have been taking into account all or most of the factors mentioned above, from whichever Act they are derived. What legal justification there is for this remains to be seen, and will no doubt become manifest when appeals against racial classification are decided.

#### Process of classification of Coloured people

During 1954 the S.A. National Council for Child Welfare was very much concerned about the fact that the Registrar of Births was registering children born from the union of White and African parents as Africans. Cases had occurred in which Child Welfare Societies undertook to arrange for adoption or placement with foster parents of such children born to unmarried White girls. The Executive Committee of this organization, at its meeting in February 1955, urged the Council to press for the registration of this type of child as Coloured, for in the circumstances Coloured foster parents would be far more suitable than African. The Minister was urged to set up the Board of Appeal provided for in the Act.

Early in 1955, when the process of registration of the population

(14) Group Areas Act, No. 41 of 1950, Asiatic Laws Amendment Act, No. 47 of 1948, Asiatic Land Tenure Amendment Act, No. 53 of 1949.



was commenced in Cape Town, officials of the Bureau of Census and Statistics set about attempting to classify the Coloured people there. The Director of this Bureau personally interviewed some 700 'border-line' cases: many of the individuals concerned claimed to be White, not Coloured.

Later in the year officials visited Welkom, Pretoria, Kimberley, towns in the Western Transvaal, and Johannesburg for the same purpose. The main problem they faced in these areas was to distinguish Coloured persons from Africans. In some of these towns people who passed as Coloured received circulars asking them to report to the census officials for classification. In Johannesburg, officials visited managers of factories employing Coloured labour, requesting them to send the workers to an office at the Native Affairs Department which was temporarily occupied by the census staff. There were a number of pass raids by the police at this time: Non-Whites alighting from trains on their way to work, for example, were ordered to produce their reference books, and it was alleged that any who had the appearance of Africans and did not possess these were arrested forthwith and ordered to report to census officials for classification. Anxiety and fear mounted among the Coloured people, and hundreds who were anxious to avoid arrest presented themselves for classification. Their anxieties were very real ones — if classified as Africans they stood to lose their jobs, to have to move from their homes to African townships, to send their children to less well equipped schools, to become subject to the pass laws and influx control, to suffer humiliation and heartbreak.

At the office in the Native Affairs Department building being used by census officials many of the Coloured people were subjected to mortifying tests — it was alleged that in some cases hands or pencils were passed through their hair. Those accepted as Coloured were given certificates to this effect, and the rest were sent to Native Affairs Department officials to be fingerprinted, issued with reference books, and required to pay poll tax. The press in Johannesburg ran a campaign pointing to individual cases of hardship: it was said that members of the same family had been differently classified, that numbers of light-complexioned men who had lived as Coloured all their lives, and of ex-soldiers who had served in the Cape Coloured Corps, were told that they were Africans. The B.E.S.L. took up these last cases. People who were dissatisfied were told that they could lodge objections with the Bureau of Census in Pretoria, but initially were not allowed to postpone their registration as Africans at the Native Affairs Department.

The public questioned whether the Bureau of Census had the right to take the course of action it followed. In terms of the Population Registration Act, the Director of Census is required to prepare a register from the records available to him from the population census and other sources. He is entitled to ask individuals for evidence as to the correctness of particulars given by them

at the time of the census, but it appears that he is not entitled to demand that they should report at any particular time to do so. The Act stipulates that copies of the register shall be made available in some official office in every district in the Union (this has apparently not been done) in order that people may check their classification. Those wishing to object may appeal first to the Director of Census, secondly to a special Appeal Board (which at the time when these classifications were undertaken had not been set up), and then, if they wish, to the courts of law. A third party also has the right to object on payment of a £10 deposit, which is forfeited if the objection fails.

The Transvaal Region of the S.A. Coloured People's Organization convened a protest meeting in Johannesburg, decided to challenge certain classifications in order to establish whether methods used had the force of law, and set up a fund to assist families whose menfolk would be unable to continue in skilled occupations because they had been classified as Africans. The S.A. Congress of Trade Unions started a similar fund. Telegrams signed by Members of Parliament, ministers of religion, and others were sent to the Minister of the Interior protesting against methods used, and to the Commissioner for Coloured Affairs asking him to assist the Coloured people concerned. The Institute of Race Relations made a study of definitions of 'race' and kept in close touch with the situation. A deputation from Johannesburg City Council interviewed the Director of Census to urge that instead of having to report in droves at the Native Affairs Department, Coloured people should be permitted to come at set times and be enabled to prepare evidence in support of their claims to be registered as Coloured.

Indian people have been receiving very lengthy questionnaires, apparently designed to determine not only their racial groups but also the validity of claims to South African citizenship. Large numbers of them have not replied.

According to a press report<sup>(15)</sup> the Director of Census said during August that he and his officials had so far classified 7,000 people of doubtful racial origin: of these 243 had given notice of appeal against their classification as African (rather than Coloured), and 17 against classification as Coloured rather than White. It is likely that the number of objections has since increased considerably, following clarification of the procedure for appeal.

On 4 September the Minister of the Interior announced<sup>(16)</sup> that although he was satisfied that the method of classification had been fair and that officials had not been inconsistent in their judgment, he was willing to make concessions. When an appeal was made, he would suspend the ruling as to a person's racial group until the appeal had been dealt with. Appeals should be lodged within 30 days of the Director's ruling, and where such rulings had

<sup>(15)</sup> *The Star*, 17 August 1955.

<sup>(16)</sup> *Rand Daily Mail* of 5 September 1955.

already been given the 30-day period would begin from the date of the Minister's announcement. These 'concessions' caused some bewilderment. It was pointed out, firstly, that it was an ordinary principle of law that a person who lodged an appeal should not be prejudiced until the appeal had run its course, and secondly, that the Act placed no time limit on the noting of objections to classifications made by the Director: what it does stipulate is that appeals from the special Board to the Supreme Court must be lodged within 30 days.

On 26 September it was announced that the special Board of Appeal had been set up, members being Mr J. J. Groenewald (an ex-magistrate) as chairman, Mr H. F. S. Bosman, Chief Clerk of the Native Affairs Department, and Mr D. J. Bosman, Chief Clerk of the Department of the Interior.

### Passports

The Departure from the Union Regulation Act, No. 34 of 1955, was introduced during the year under review. It provides that no South African citizen over the age of sixteen years shall leave the Union for any place other than the High Commission Territories unless he or she is in possession of a valid passport or permit. Citizens of dual nationality who possess passports issued, say, by India or Britain, must obtain also a permit issued in South Africa if they wish to leave the country. Departure for one of the High Commission Territories and then from there, within a year, for anywhere else except the Union, is prohibited unless the person concerned has a valid passport or permit. Very severe penalties are laid down for contravention of these provisions, and also for assisting others to contravene them and for knowingly conveying out of the country anyone who requires a valid passport or permit and does not possess it.

These passports or permits, which may be withdrawn by the Minister at any time, are issued by the Secretary for the Interior or a person authorized by him to do so. They are granted automatically to those who intend leaving the Union permanently, but such people may subsequently not return unless special permission is granted. Those whose applications are refused may appeal within one month to the Minister of the Interior, whose decision is final and who need not state the reasons for his decision.

In the Assembly on 23 March 1955 the Minister said<sup>(17)</sup> that the Bill rested on two foundations: firstly, only guilty persons should be caught, and secondly, *bona fide* travellers should suffer no inconvenience. The object of the measure was to control the departure from South Africa of certain people who wished eventually to visit communist countries. Because the policy of the United Kingdom was that any British subject had free access to the country, such persons, if able to obtain affidavits to the effect that they were

(17) Hansard 9, cols. 3123-8.

British subjects, were able to enter the United Kingdom without passports. The practice sometimes had been to use someone else's passport in order to board a ship, returning it before sailing. On arrival in Britain the persons visited the embassy of one of the countries behind the 'iron curtain' and obtained travelling permits to visit communist countries. After a thorough indoctrination there, they returned to South Africa and, if they proved they were Union Nationals, could not be prevented from landing.

The United, Liberal, and Labour Parties opposed the Bill at its second reading. United Party representatives said that the Suppression of Communism Act gave the Minister power to deal with cases such as those cited: there was no need for him to interfere with the fundamental right of freedom of movement. A Labour Party spokesman pointed out that several people who had no connection whatever with communism had been refused permission to leave the country, and asked whether it was the Government's policy to deny passports to Non-Whites and also to Whites who, the Minister suspected, might criticise South Africa while abroad. The Minister did not answer this question, but said later<sup>(18)</sup> that although the Bill had been introduced to enable him to prevent certain persons from visiting communist countries, its effects would be wider than that. He was responsible for the security of the state, which was not endangered only by communists. In reaching a decision he was guided by information submitted by the police.

Over 120,000 South Africans had last year left the country on temporary visits abroad, he said,<sup>(19)</sup> and of these perhaps 12 or 20 had no passports. During 1953 only 58 passports were refused out of 19,902 applications, while in 1954 there were 57 refusals out of a total of 23,117 applications.

The names of all those whose applications were refused have not been made public, but they certainly include those of persons who have never been 'named' or charged under the Suppression of Communism Act and who stoutly deny any remote connection with communism. In 1954, for example, Professor Z. K. Matthews, Vice-Principal of the University College of Fort Hare, was refused an extension of his passport to enable him to attend an international conference on race relations, held in Honolulu. During 1955 Mrs Jessie McPherson, National Chairman of the S.A. Labour Party and an ex-Mayor of Johannesburg, was refused an extension when she wished to visit Britain. Professor W. H. Hutt, Dean of the Faculty of Commerce at the University of Cape Town, had great difficulty in obtaining a renewal of his passport to enable him to take study leave in Western European countries: it was granted only after there had been extensive publicity and a question in the House. Two Indians from Klerksdorp who wished to go to Mecca on a pilgrimage were refused passports, as were several students,

(18) Assembly, 4 April 1955. Hansard 10, col. 3873.

(19) Hansard 9, cols. 3128-9.

including Stephen Ramasodi, a sixteen-year-old African schoolboy from Johannesburg who had been offered a scholarship at Kent School, Connecticut, a well-known school in the United States. An official of the Native Affairs Department is reported<sup>(20)</sup> to have said that his department had recommended the refusal of Stephen's passport, on the ground that it would have been dangerous to his whole future to have unrooted a lad of such tender years and to have thrust him into strange surroundings to which he would have been unable to adapt himself. Later, when he had matriculated, he might be ripe for university study overseas. A post-graduate African student was, however, permitted to take up a scholarship offered in the United States.

A study group of Americans under Dr Alfred G. Fisk, of San Francisco State College, visited South Africa in July. The 23 White members of the party were granted the necessary visas, but the one Negro member, Dr Charles Warren who is a Methodist minister, was not permitted to enter the Union.

#### Search warrants and entry upon premises

The law previously provided that a judge, magistrate, or justice of the peace might issue a search warrant if, on receiving a complaint made under oath, he considered there were reasonable grounds for suspecting that on any person or premises there was anything that would afford evidence of the commission or intended commission of an offence. If, however, a police officer of the rank of sergeant, or above, White or Non-White, considered that the evidence would be lost if he delayed the search until a warrant was provided, he might use his own discretion in the matter.

The Criminal Procedure and Evidence Amendment Act of 1955<sup>(21)</sup> provided that search warrants might also be issued if there were grounds considered reasonable for believing that an offence was being or was likely to be committed on any premises, or that the internal security of the Union or the maintenance of law and order were likely to be endangered in consequence of any meeting held on the premises. Such warrants might direct members of the police to enter premises at any reasonable time to investigate, to search the premises or anyone on them for anything that would afford evidence of an offence, and to take such steps as appear necessary to uphold the law.

The amending Act also provided that in any circumstance in which a search warrant might be obtainable any policeman (and not only those of the rank of sergeant and above) might proceed without a warrant if he considered that the delay in obtaining one would defeat its object.

During the second reading debate the Minister of Justice explained his reasons for these amendments.<sup>(22)</sup> During 1954, he

<sup>(20)</sup> *Rand Daily Mail*, 22 July 1955.

<sup>(21)</sup> Sections 42 to 45 of the Consolidating Act, issued later.

<sup>(22)</sup> Assembly, 21 February 1955. Hansard 5, cols. 1409-13.

said, a party of policemen headed by a major had attended a meeting in Johannesburg. (This was a preparatory Congress of the People meeting, the people present being there by special invitation). Delegates to the meeting obtained a court interdict calling on the policemen, who were not in possession of search warrants, to show cause why they should not be forbidden to attend. The judge had known two days beforehand that an interdict would be applied for, but the police were not informed. On the return day of the rule *nisi* another judge examined the documentary evidence and later ruled that as the law then stood the police would have been justified in attending the meeting only if they had reasonable grounds for suspecting that seditious speeches would be made and that their presence would prevent this. The question whether such grounds existed must be decided by oral evidence. The Minister then gave instructions for the case to be withdrawn. The evidence which it was considered might have been obtainable at the meeting, he said, had in any case been lost to the police.

It would be of assistance, particularly in Non-White townships, he continued, if all members of the police were empowered in emergencies to enter and search premises without first obtaining search warrants. There were not many African police sergeants, constables often had to walk miles to obtain warrants, and evidence of crime was often lost as a result.

Opposition Members of Parliament considered that constables should always obtain either a directive from a sergeant or more senior officer, or else a search warrant. In regard to the extension of powers of investigation and search to cover circumstances which it is considered might endanger the internal security of the Union, it was pointed out that a very wide interpretation was possible. After lengthy debate the Minister agreed to accept an Opposition amendment providing a penalty of a fine of up to £50 and damages not exceeding £100 on conviction for wrongful, malicious, or unreasonable search or application for a search warrant.

#### Interdicts against the Government

The question of court interdicts was dealt with later, in section 35 of the General Law Amendment Act, No. 62 of 1955. This provides that no court shall issue any rule *nisi* operating as an interim interdict against the government or provincial administration, or against any government or provincial official in his official capacity, unless notice of the intention to apply for such a rule, accompanied by copies of the petition and of any affidavits to be used in support of the application, have been served upon the government, provincial administration, or official concerned. A period of three days' notice is laid down as a general rule, but the court may decide that in all the circumstances of a particular case shorter notice is adequate.

### Detention of persons arrested under the Public Safety Act

The Public Safety Act of 1953 was described on page 35 of the 1952-3 *Survey*. This Act empowers the Governor-General in certain circumstances to proclaim a state of emergency either in the country as a whole or within a specified area, then to issue such regulations for the area concerned as appear to him to be necessary. Such regulations may, *inter alia*, provide for the summary arrest and detention of any person, but should the person be detained for longer than 30 days without trial, both Houses of Parliament must be notified.

In the Assembly on 2 June 1955 the Minister of Justice said<sup>(23)</sup> that fortunately this Act had never been invoked. After it had been passed, however, it was found that one difficulty might arise. Should a state of emergency be proclaimed in any specified area of the Union, persons arrested there could not, as the law then stood, be removed from that area. Section 31 of the General Law Amendment Act, No. 62 of 1955, provides that persons summarily arrested and detained in pursuance of regulations issued under the Public Safety Act may be detained at any place within the Union.

### Action under the Riotous Assemblies and Suppression of Communism Acts

The banning of all meetings in the magisterial districts of Johannesburg and Roodepoort for a short period during the year under review is dealt with on page 97.

From information given in the Assembly by the then Acting Minister of Justice,<sup>(24)</sup> it appears that up to the middle of February 1955, the following action had been taken since 1950 under the Riotous Assemblies and Suppression of Communism Acts:<sup>(25)</sup>

- (a) One newspaper had been banned.
- (b) The Liquidator appointed in terms of the Suppression of Communism Act had 'named' 574 persons, including 56 trade union officials, as being officials or active supporters of organizations deemed unlawful. (So far, only the Communist Party has been declared unlawful: this was done in the Act itself).
- (c) Eighty-eight of these 'named' persons (including 46 trade union officials) had been ordered to resign from membership of stated organizations.
- (d) Ninety of those 'named,' and 68 others (the vast majority Africans), had been prohibited from being in certain parts of the Union and/or from attending gatherings, for stated periods.

<sup>(23)</sup> Hansard 17, col. 6906.

<sup>(24)</sup> 28 January, 1 February, 15 March. Hansard 1, col. 182; No. 2, cols. 332, 571; No. 8, col. 2636.

<sup>(25)</sup> A full description of the terms of these Acts was given in *A Survey of Race Relations*, 1953-4, pages 34-7.

(e) Forty-seven persons (some 'named' and others not) had been convicted in the courts for promoting the aims of communism as defined in the Act or for disobeying precautionary orders.

In addition, the Act had been invoked to expel two Natives' Representatives from the Assembly and to prevent the admission of a third.

The Acting Minister said that the following appeals to the courts had been made:

- (i) One person, before he was listed, challenged the appointment of the Liquidator, but lost the case.
- (ii) Three 'named' persons appealed against their 'naming': one case was withdrawn and in the other two cases the appeals failed. (Those whose names are listed may petition the courts only to investigate the correctness of the facts of their membership or active support of the unlawful organization).
- (iii) Seven persons whose activities had been restricted appealed, one case succeeded, and as a result the restrictions in respect of the other six were withdrawn. (It will be recalled that in the *Ngwevela* case the Appellate Division ruled that under the Suppression of Communism — but not the Riotous Assemblies — Act the principle *audi alteram partem* should apply. The Act was then amended. No hearing need now be granted before a person is banned from attending gatherings, but persons who have *not* been 'named' upon whom such orders are served may ask the reasons for the Minister's action.<sup>(26)</sup>).

One of the persons convicted was Mr Sam Kahn, who in October 1954 was sentenced in the magistrates' court, Cape Town, to three months' compulsory labour, two months suspended for three years, when found guilty of disobeying an order prohibiting him from attending any gatherings for a period of two years. He had been arrested at a party in a private house attended by some sixty people of various racial groups. Mr Kahn submitted in his defence that the alleged gathering was not a gathering as contemplated in the section of the Act under which he was charged, since it had no common purpose in the sense of an object to be achieved by concerted action. He appealed against the regional magistrate's decision, but this was upheld by the Cape Provincial Division of the Supreme Court. The judge held that those present at the party had a common purpose of social intercourse by meeting and talking to one another and spending the evening in one another's company. Later, however, Mr Kahn's further appeal was allowed by the Appellate Division. It was ruled that from the use of the words 'common purpose' in the Act it was clear that the word 'gathering' did not mean 'any gathering.' There had to be a purpose shared by two or more persons who acted in concert to do something. The Crown had failed to prove that any of those present at the party desired by concerted action to achieve any object, and that

<sup>(26)</sup> *Ibid.* page 36.

the gathering which Mr Kahn attended was thus a gathering within the meaning of the Act. His conviction and sentence were set aside.

### Police raids during September 1955

The searching by the police of delegates to a meeting of the Congress of the People held during July is described on page 5.

On 27 September, large numbers of members of the Special (Political) Branch of the Criminal Investigation Department assisted by other detectives carried out raids simultaneously in Cape Town, Johannesburg, Pretoria, Durban, Port Elizabeth, East London, Pietermaritzburg, Ladysmith, Dundee, and other towns, on the offices of numbers of organizations and the private homes of officials. They bore search warrants authorizing them to search for evidence 'as to the commission of the offence of treason or sedition,' and to seize any account books, typewriters, recording machines, books, or documents which might afford such evidence. Among the organizations whose offices were raided were the S.A. Indian Congress, the African National Congress, the Congress of Democrats, the Congress of Trade Unions and constituent members, the Peace Council, the Central Indian High School in Johannesburg, various weekly newspapers, and others.

No official information about the results of these raids has been forthcoming. There have been no prosecutions for treason.

### Alleged opening of mail for political purposes

In the Assembly on 8 June 1955, Mrs V. M. L. Ballinger, leader of the Liberal Party and a Natives' Representative, reminded members<sup>(27)</sup> that in terms of the law, only in very special circumstances and according to defined rules could the public's mail be interfered with by the Postal Department. Yet, she said, the chairman of her party in Johannesburg had recently sent a letter to a party member in Cape Town, and when the letter was opened it was found to contain, instead, a communication from NUSAS to a gentleman in Prague. The two Liberal Party members then conducted an experiment. Each sent to the other, at intervals, three carefully prepared letters. In the presence of witnesses the letters were carefully cleaned, put into envelopes by people wearing gloves, and the letters were then posted under controlled circumstances. Affidavits were available. Witnesses, including fingerprint experts, also attended the opening of the envelopes at their destinations, when it was found that in four of the six cases the letters bore obvious and established fingerprints. People from all over the country, Mrs Ballinger said, had written to tell her about interference with their letters.

The Minister of Posts and Telegraphs expressed<sup>(28)</sup> his regret,

<sup>(27)</sup> Hansard 18, cols. 7285-6, 7434.

<sup>(28)</sup> Col. 7291.

gave the House his assurance that he knew nothing of the matter, and promised to have it carefully investigated and to take strong action. Members then enquired whether it was perhaps the Special Branch of the C.I.D. that was tampering with mail. The Minister of Justice said<sup>(29)</sup>, 'The police received no instruction from me to open the letters of a political party. The police have certain powers which they have to exercise in terms of certain laws. These powers and circumstances are defined and by following a certain fixed procedure they are allowed to open letters in order to combat crime or subversive activities.<sup>(30)</sup> But it stands to reason that they have to comply with the provisions of the law.' He undertook to assist his colleague to have the matter investigated.

<sup>(29)</sup> Col. 7435-6.

<sup>(30)</sup> Section 10 of the Criminal Law Amendment Act of 1953, for example, enables postal officials to open postal matter suspected of containing anything intended for the assistance of a defiance campaign. Section 25 (c) of the Posts and Telegraphs Act lays down procedure for opening letters suspected of containing anything in fraud of or contrary to the provisions of any law.

**MATTERS AFFECTING SPECIFIC GROUPS****THE COLOURED PEOPLE****Numbers, distribution, and patterns of living**

The Bureau of Census and Statistics estimates that the Coloured people at present number 1,242,000, of these 618,000 being male. They form just under 9 per cent. of the total population of the Union. By far the greatest proportion of them, some 89 per cent., live in the Cape Province, concentrated in and around the Cape Peninsula. About a quarter of all South Africa's Coloured people lived in Cape Town when the last census was taken, with smaller concentrations on the Witwatersrand (about 5 per cent. of the total), in Port Elizabeth (about 4 per cent.) and in Durban and Kimberley.

The Coloured group is becoming increasingly urbanized: about 64 per cent. now live in the towns, as against 46 per cent. in 1921. While the Malays, Bushmen, and Hottentots preserve many of their distinctive customs, the patterns of life of the rest of the Coloured community, numbering over five-sixths of the total, are similar to those of the Whites. The very large majority of these, almost 90 per cent., have Afrikaans as their home language; the rest speak English or both official languages. A noteworthy fact, however, is that most of the periodicals produced by or for the Coloured people are in the English language.

At the 1955 Council meeting of the Institute of Race Relations, Dr O. D. Wollheim presented a paper (1) on the social adjustments to urban conditions of the very large group of Coloured people at the Cape, who originated in White society. Their patterns of life, he said, were derived from White people, and their development has been exactly the same except that the pace has been slower owing to the fact that they have been denied the same social amenities.

Because of the significant and continuous migration of Coloured people to the towns, there are large numbers in each of the usual phases of adjustment to urban conditions: the first, in which physical accommodation is made to a new pattern; the second, in which new techniques have been learned and are used with confidence and even ostentation and aggressiveness; and the third, in which the individual becomes completely adjusted. The social and economic stratification of the Coloured people in urban areas follows very closely the same patterns as those of the Whites, although the tendency obviously is for the upper classes to be smaller and the lower classes larger in comparison. Were it not for differences in physical characteristics, considerable numbers of members of the old established families could not in any way be distinguished from the upper middle class of White society, and, of course, many of the lighter skinned have with no difficulty been absorbed into the White community. In general, therefore, the trend has been the development of social, political,

(1) RR.200/1954.

cultural, and economic patterns in every respect similar to those of the Whites.

Coloured people, Dr Wollheim said, are playing an increasingly important part in the trade union movement, and have developed their own professional and political organizations and large numbers of choral societies, string bands, church brigades, cultural organizations, and sporting unions. There is a growing sense of responsibility among the middle and upper classes for less fortunate members of their community. As result of discrimination against Coloured people in recent years, certain new or separate institutions have been created: the separatist church movement has become stronger, and more extreme professional and intellectual groups have been formed. The tendency has been for the Coloured community to draw together and to look to the Africans instead of the Whites as allies.

After discussing this paper, the Council of the Institute of Race Relations expressed its opinion that the Cape Coloured people were assimilated to Western culture and that they should be allowed full participation in the citizenship and other responsibilities of Western civilization.

At its annual meeting held shortly before that of the Institute, however, the S.A. Bureau of Racial Affairs held to its view that the Coloured people should be given the opportunity of developing as a separate section of the community in the Western Cape, their traditional home, where they should be protected against the competition of Africans. Opinions differed as to whether the long-term solution lay in the total territorial segregation of Coloured people, or in the largest possible measure of separate development within the country's political, economic, and social structure. A separate voters' roll was favoured. The Minister of the Interior was urged to appoint a commission to investigate the whole question of local government for Coloured people in their own residential areas, and to speed up the declaration of such Coloured areas. The establishment of a development fund was advocated to assist Coloured people to build their own houses, and concern was expressed at the ill health among them and the neglect of their interests by certain local authorities.

Developments in regard to the Coloured vote are dealt with in the chapter commencing on page 21.

**The Division of Coloured Affairs**

In his annual report for 1954, the Commissioner for Coloured Affairs stated that marked success had been achieved during the year in the separation of Coloured people and Africans in urban areas. In collaboration with the Department of Labour, the division had continued with the policy of opening more avenues of employment for Coloured people, in posts where they could serve members of their own racial group, and of recruiting and training incumbents for posts which became available. A sum of £20,000 had been made available for

training youths for careers in government departments. The division was increasingly attempting to become the connecting link with and the mouthpiece of the Coloured community: representations were continually being received from Coloured organizations as well as numerous individuals.

It is undoubted, however, that most of the Coloured leaders are opposed to the whole conception of *apartheid* for their people, and thus reject the Division of Coloured Affairs. Recognition of it, they consider, means acceptance of a lower status and the concession to the White man of a *herrenvolk* superiority: those of the Coloured people who are willing to co-operate with the Division are mere political opportunists, they say.<sup>(2)</sup>

### Racial classification of the people

Inquiries recently conducted, for the purpose of the population register, to determine the racial classification of people who have hitherto been accepted as Coloured, are described on page 35.

### Coloured Mission Stations and Reserves Amendment Act, No. 35 of 1955

The Mission Stations and Communal Reserves Act, 1909, of the Cape of Good Hope, as amended, laid down procedure for the administration of land granted to missions for their work among Coloured communities and areas reserved for registered Coloured occupiers. There are four reserves, Steinkopf, Concordia, Komaggas, and Leliefontein, and eight mission stations, Ebenezzer, Mamre, Pniel, Genadendal, Zoar, Enon, Shiloh, and Goshen; but the last two of these mission stations are inhabited by both Coloured and African people and are administered by the Native Affairs Department. They fall outside the terms of the Act. The remainder of the mission stations and the reserves are administered by the Division of Coloured Affairs.

In the Assembly on 18 May 1955 the Minister of the Interior said<sup>(3)</sup> confusion had resulted from the fact that the provisions of certain enactments and provincial ordinances had been incorporated by reference only. These matters, for example, the powers, duties, and functions of boards of management, would now be set out in full in the Act itself. Minor changes were incorporated, bringing procedure into harmony with modern local-government administration. A new feature in the amending measure provided for the establishment of advisory boards in communities considered unable as yet to assume the full responsibility of electing boards of management. Rates payable by the boards to Divisional Councils, which had remained unchanged since 1909, were raised.

<sup>(2)</sup> See statements by S.A. Coloured People's Organization, for example in *The Star*, 8 October 1955, by the Anti-Coloured Affairs Department Movement, etc.

<sup>(3)</sup> Hansard 15, cols. 5942-44.

Persons holding prospecting permits issued by a magistrate were formerly free to enter areas under the jurisdiction of boards of management, and in the past such persons have damaged grazing and water supplies. The amending Act provides that no-one shall carry on prospecting or mining operations in such areas except with the consent of the Minister of the Interior, and on such terms and conditions as he may determine after consultation with the Minister of Mines. Persons already lawfully carrying on such operations are given a year in which to obtain permits. Boards of management were empowered to make regulations for the prohibition, control, or regulation of gatherings or assemblies of persons on the mission station.

### Research in progress

The Institute for Social Research at Natal University is undertaking an inter-disciplinary study of the Coloured community at Sparks Road housing estate.

### ASIATICS

#### Numbers, distribution, and patterns of living

There are at present some 410,000 Asiatics in the Union (210,000 of them male) according to estimates by the Bureau of Census and Statistics. They constitute only three per cent. of the population of the Union, but because of their uneven geographical distribution, 82 per cent. of them being in Natal, they outnumber the Whites in this province. The greatest concentration is in Durban and along the coastal belt north and south of this city. They are by no means a homogeneous community, as is indicated by their home languages. The largest numbers speak Tamil, followed, in order of numerical importance, by Hindi, Gujerati, Telegu, Urdu, other Indian languages, and Chinese. An increasing proportion, however, is adopting one of the official languages, English in the main, as the home language. There has been an extremely rapid increase in the rate of urbanization: 76 per cent. now live in the towns as against 31 per cent. in 1921.

At the 1955 Council meeting of the Institute of Race Relations, Mr Jack Naidoo presented a paper, prepared by Dr S. Cooppan and Mr B. A. Naidoo, on Indian adjustments to urbanization<sup>(4)</sup>. The movement from the land, the authors said, had led to changes in the structure and function of the joint-family system. It is now unusual for sons and daughters to hand over their entire cash earnings to the head of the household; but married and unmarried sons still frequently live with their parents, usually as economically independent households under one roof. The head of the household still exerts a fair amount of authority, and family attachments are close. Though the number of Indian women in employment is not large, it is growing.

As result of the influence of the western pattern of culture, certain of the habits of Indians in urban areas are changing. Although

<sup>(4)</sup> This paper was published in *Race Relations Journal*, No. 2 of 1955.

married women have not abandoned the saree to any appreciable extent, working and adolescent girls often prefer western frocks. The cinema habit is well established, and a small section has adopted western forms of dancing. Bread has replaced rice in the diets of most of the people: in many families western dishes are served and eaten in the western way. Tastes in building, furnishing, and decorating have also been considerably modified.

The competition of urban life has stimulated the demand for education. A number of voluntary organizations for economic, political, cultural, and recreational purposes have emerged. Urban living is not without its crop of social, pathological symptoms such as disease, illegitimacy, delinquency and crime: contributing factors are shortage of housing, unemployment, lack of recreational facilities, and, above all, the frustration and tensions caused by racial prejudice. There are beneficial changes too,—rising standards of living and increased association across religious, linguistic, and caste lines. Religion still claims the devotion of urban Indians.

The writers said, in conclusion, that while Indian society still presents the appearance of being an ethnically distinct and stable group, they could not forecast in what direction and at what rate changes are likely to take place in another generation of urban life. The whole subject awaits careful research.

The Institute's Council's finding was that the Indian people are an integral part of the economic and social structure of the country and as such should be accepted as full participants in its life, development, and progress.

### Repatriation of Indians

The Minister of the Interior announced in Durban during March<sup>(5)</sup> that the bonuses payable to Indians to induce them to return to India were to be reduced by one half because of poor response to the scheme. A free passage is still to be provided for those desiring repatriation. Adult Indians will now receive £20 instead of the former bonus of £40 which came into operation in 1949, and children under the age of 16 will get £10 instead of £20.

Since the repatriation scheme came into operation on 1 August 1927, up to the end of September 1954 about 17,000 Indians left the Union; but nearly 1,000 subsequently returned, which they could legally do within three years provided they refunded the bonus money paid to them. The present rate of repatriation, the Minister said, is only about 40 to 50 persons a year.

### Inter-provincial movement of Indians

Proclamation No. 93 of 1928 is being strictly enforced and several prosecutions of Indians have taken place.

In terms of this Proclamation, 'Asiatics desiring to visit or journey through the Transkei must first apply for a permit for the purpose of

(5) *Rand Daily Mail and Natal Mercury*, 12 March 1955.

the nearest native commissioner or magistrate who submits the application to the chief native commissioner of his area. The above-mentioned permit does not in itself entitle an Asiatic to enter the Cape Province if he is not normally resident in that province; and consequently such a person should also apply for an ordinary visiting permit.'<sup>(6)</sup>

The Native Commissioner, Durban, wrote to the Natal Indian Teachers' Society on 23 May 1955, saying: 'Application forms for permission to travel by road through the Transkei are obtainable from the office of the Native Commissioner, Durban. As it takes anything from 5-6 weeks to obtain the permit from Pretoria, it will be appreciated that application must be submitted timeously through this office'.

### Research

Several research projects concerning Indians are in progress at the University of Natal. These include studies of the history of Indians in that province, Indian life studies, the use of Indian man-power resources, and Indian unemployment.

## AFRICANS

### Numbers and distribution

There was a total of 8,537,375 Africans in the Union in 1951, when they formed 67.5 per cent. of the total population. It is estimated by the Bureau of Census and Statistics that by 1955 their numbers had grown to 9,161,000.

In 1951 there were some 2,290,000 in the urban areas (26.8 per cent. of the total), close on one million of them on the Witwatersrand alone. Many of these are, of course, migrant workers, but Professor J. L. Sadie estimates<sup>(7)</sup> that at least 65 per cent. of them, or about 1½ million, fall into the category of a settled urban population. The movement to the towns has been a very rapid one in recent years: only 12.5 per cent. were in urban areas in 1921. The actual increase in the African urban population was some 1,044,000 between 1936 and 1951; Professor Sadie says that of these, 210,000 represented the natural increase, 326,000 came from White farms and other rural areas, 328,000 from the reserves, and the remaining 180,000 from non-Union territories.

At the time of the 1951 census about 31.2 per cent. of the total number of Africans were in so-called White rural areas, which

(6) Quoted from a letter from the Commissioner for Immigration and Asiatic Affairs in Pretoria to the Hon. General Secretary of the Natal Indian Teachers' Society, Durban, 30 April 1955.

(7) The estimates by Prof. J. L. Sadie quoted in this section were contained in articles entitled 'The Bantu Areas of the Union' (*Bantu*, December 1954) and 'Some Notes on Bantu Demography' (*Journal of Racial Affairs*, April 1955).



include rural townships and labour camps, White farms, and unalienated crown-land.

The remaining 42 per cent. were in the reserves. On the basis of the 1946 census figures it can be calculated, Professor Sadie states, that about 542,000 persons (487,000 of them men) were temporarily absent as migrant labourers. Taking these temporary absentees into account and allowing for foreign-born Africans, it can be concluded that at least half of the Union's settled African population had their homes in the reserves in 1946.

Of the total *de jure* population of the Native areas, he continues, about 1,020,000 men would be in the productive ages 15 to 65. Subtracting the 487,000 away as migrant labourers and about another 10 per cent. who cannot enter the labour market because of one or other disability, he concludes that in 1946 there were at least 300,000 able-bodied men in the reserves.

The Minister of Native Affairs states that there are between 600,000 and 800,000 foreign-born Africans in the Union, including 100,000 from the High Commission Territories.<sup>(8)</sup> In Professor Sadie's opinion some two-thirds of these must be considered as temporary immigrants, the rest having already settled as permanent inhabitants. Since 1936, he says, the Union has been absorbing very nearly the whole of the natural increase in the population of Basutoland. His research has led him to the conclusion that the Union is responsible for satisfying the economic needs of nearly half the Basutoland population, corresponding proportions in the case of Bechuanaland and Swaziland being 20 and 35 per cent. respectively.

### Urban patterns of living

Mr D. G. S. M'Timkulu presented a paper on 'African Adjustment to Urbanization' at the 1955 Council meeting of the Institute of Race Relations.<sup>(9)</sup> He confined attention to those Africans who live in urban townships with their families, leaving out of consideration the migrant labour groups whose attitudes are still largely tribal.

African immigrants to the towns, he said, are faced with the difficult problem of adjusting themselves to a new situation which is itself in the process of change, for the society of urban dwellers has not attained stability. Such an immigrant's first impact with urban life is likely to be the shanty-towns with their degraded living conditions and debased moral standards. After the initial shock he gradually comes to accept these, and his demoralization is likely to set in.

In the course of time he may be allocated a municipal house. His environmental conditions are then greatly improved, but his social rehabilitation is not an easy process. The authorities in

<sup>(8)</sup> Assembly, 28 February 1955; Hansard 6, col. 1805.

<sup>(9)</sup> RR.36/1955.

general do not assist as they might in helping him to adjust himself, or in selective placement of families so that those who share similar backgrounds and ideas may be neighbours. The emergence of a community spirit is thus impeded. The effect of a move to a municipal scheme may be that while new social values and the outward patterns of western living are adopted, the family retains the degraded moral standards of the slums. Overcrowded living conditions, lack of privacy, and the presence of migratory workers who upset the balance of the urbanized group have been factors leading to the breaking up of many unions, and it is from these broken homes and from families with degraded moral standards that the 'tsotsis' come.

The vast majority of Africans, however, have set their faces steadfastly to the west, and are eager to find a place in the new society. They display four main characteristics: a passionate belief in education, a belief in private property, a strongly individualistic outlook, and the acceptance of Christian teaching. There is a growing desire among them for the comforts as well as the necessities of life. They are increasingly providing financial support for the Church and the running of their own cultural and sporting organizations. The development of mutual benefit societies is an indication of their growing reliability, and, more than anything else, perhaps, the emergence of women's social welfare organizations proves that the African has arrived as an urban dweller. A heightened civic sense is developing.

Yet there is a great sense of bewilderment among members of this solid core of the African urban population. They make every effort to adjust themselves to western ways of life, but in a property-owning society they cannot own property, in a society which has grown and prospered largely through workers' organizations, their own organizations are restricted.

In spite of this, Africans retain their spiritual resilience, their ability to endure much injury to human dignity without breaking. This spiritual quality is enabling them to take the strides they have in adjusting themselves to urbanization.

Later, in July 1955, the Institute's President, Dr Ellen Hellmann, gave a national broadcast on 'The Emerging African Middle Class'.<sup>(10)</sup> There were, she said, differences in rank under the Bantu tribal system, but these were in the main hereditary, depending on birth. Outstanding performance in war, and eminence as a so-called witch-doctor, were practically the only two ways open to a commoner to achieve social distinction. To-day, a social class hierarchy much like that in White society is emerging among urbanized Africans. Partly because of disabilities artificially imposed, this hierarchy does not as yet extend upward to the same extent; but an African middle class, with upper and lower subdivisions, already exists.

<sup>(10)</sup> See RR.125/1955.

Educational attainment is possibly *the* attribute among Africans which confers social prestige, and because this frequently determines occupation, the thin upper layer of the middle class includes mainly the highest qualified professional people. Below these is the stratum composed of teachers, nurses, ministers of religion, social workers, and others. Money is also an important factor, because it makes possible an approximation to western cultural patterns and because it enables children to be educated. Prosperous traders and skilled artisans thus find their place amongst the middle class. Others who occupy positions of social eminence are leaders in the world of entertainment and sport, and political leaders. In other words, as amongst the Whites, success is what matters; and increasingly the middle-class way is coming to mean the western pattern of living. Africans are tending more and more to marry within their own social class.

The external signs of class structure are clearly visible, Dr Hellmann concluded, but too little is known of internal structural patterns, for example, stability of marriages, systems of values, and so on. There is great need for a comprehensive study on the lines of that carried out in Chicago and published under the title *Black Metropolis*.

A dark picture was painted by Mr F. W. C. Buitendag in his presidential address to the annual meeting of the Institute of Administrators of Non-European Affairs at Umtali during September 1955. Amongst the majority of urban Africans, he said, marriage has ceased to be a sacred institution. Their society has largely become a polyglot one without a social conscience. The average member of it nourishes a deep-seated distrust of the White man, based on the conviction that no matter how hard he tries to be law-abiding, some clause in some dusty statute will be found by means of which he can be charged with an offence. He has ceased to care for the White man's law or justice, and has become a man with a grouse who cannot see any good in anything.

Mr Buitendag advocated compulsory education for urban African children, and special education for White children to help them to understand the African's peculiar problem of readjustment to a new environment. He suggested that, replacing a multiplicity of laws, a single urban code be devised, to give in clear language the basic rules of conduct which Africans must observe if they are to be permitted to remain in the towns. These rules would be aimed at establishing the sanctity of the family as a disciplined social unit, to serve as the foundation on which a new society will eventually arise.

#### Parliamentary representation of Africans

The five-year period of office of the Natives' Representatives in Parliament expired during 1954, and elections were held in Decem-

ber. Registered African voters in the Cape Province elected the following representatives to the House of Assembly:

Cape Eastern circle	: Mrs V. M. L. Ballinger (Liberal)
Cape Western circle	: Mr L. B. Lee-Warden (Independent)
Transkei circle	: Mr W. P. Stanford (Liberal).

Amendments to regulations for the election of representatives<sup>s</sup> to the Senate were gazetted on 1 December, the principle of a secret ballot being introduced where feasible in the voting units, which in many cases had previously voted by show of hands. The voting units of the electoral college for the Transkei are the African members of the United Transkeian Territories General Council. In other areas they consist of local councils, Bantu authorities, or urban advisory boards in areas where they exist, otherwise the chief votes on behalf of his tribe, or, in districts where there are more than 300 Africans not covered by any of the voting units described, an electoral committee is usually set up consisting of four or five members each representing a ward and chosen at an informal meeting of residents of the ward. Each voting unit is given a numerical value equivalent to the number of tax-payers resident in its area of jurisdiction. Weaknesses in this system, pointed out by one of the candidates who was returned, are that there is no practical method by which the unit can accurately ascertain the wishes of the voters whom it represents; a unit could cast its vote irrespective of the wishes of those for whom it purports to speak; and the numerical result of an election can be misleading because the candidate who receives the support of a unit is credited with all the votes in that unit, including those cast against him.

The candidates returned were:

Transkei: .....	Senator the Hon. W. M. H. Campbell (Independent)
Rest of the Cape: .....	Senator the Hon. L. I. Rubin (Liberal)
Natal: .....	Senator the Hon. Major C. Cowley (Independent)
Transvaal and Orange Free State:	Senator the Hon. W. G. Ballinger (Liberal)

In the Assembly on 8 February 1955 the leader of the Labour Party moved the following resolution:<sup>(1)</sup>

'That this House is of opinion that in addition to the present right of Natives in the Cape Province, the Native people of the other provinces should also be entitled to elect members to this House'.

His party's suggestion was that as well as the three Natives' Representatives from the Cape Province in the Assembly, elected as at present, there should be three from the Transvaal, two from Natal, two from the Orange Free State and, possibly, one from

<sup>(1)</sup> Hansard 3, cols. 720-6.

Sout-West Africa, elected by individual vote on the basis of a literacy test, voters being on communal rolls. The four nominated senatorships should be abolished, eight senators being elected by Africans according to a system of direct individual vote. Voters should have the right to elect Africans if they wish.

Mrs V. M. L. Ballinger, M.P., leader of the Liberal Party and a Natives' Representative, introduced the following motion<sup>(12)</sup>:

"To omit all the words after "That" and to substitute "recognizing the interdependence of all racial groups in our population and the rights of all to aspire to full citizenship based on a common franchise, this House urges the Government as a first step in this direction:

- (a) to abolish the separate roll now existing for Africans in the Cape Province and to transfer the Africans registered on that roll to the common roll; and
- (b) to place on the common roll all Africans of 21 years and over whose educational attainments equal those acquired by Europeans under the terms of existing Provincial ordinances and to embark upon a policy of expanding educational opportunities for Africans which will aim at providing them with this qualification".

A counter-proposal by the leader of the United Party<sup>(13)</sup> was that representation in the Assembly should remain as it was; that the number of senators elected by Africans should be increased from four to six; and that Africans should be given the necessary opportunity to develop experience in the discharge of democratic responsibilities by the creation of representative local institutions in their own areas subject to White guidance and supervision, and by the extension and development of the Bunga (General Council) system.

An amendment moved by the Prime Minister, which was finally carried, was<sup>(14)</sup>:

"To omit all words after "That" and to substitute "this House expresses its full confidence in the policy of the Government in regard to the representation of Non-Europeans in Parliament".

The policy of his party, he said, had previously been that Africans should be represented in the Senate only, not the Assembly; but as the result of an agreement with the Afrikaner Party before it amalgamated with the National Party it was decided that the position would remain as it was. The Government did not pursue this matter. In terms of its policy, the political institutions of Africans must be in their own areas, and there they must exercise their political rights under the guardianship of the White man.

<sup>(12)</sup> 22 February, Hansard 5, col. 1538.

<sup>(13)</sup> 8 February, Hansard 3, col. 750.

<sup>(14)</sup> Hansard 3, cols. 765-75.

'As that policy unfolds and develops this whole matter will have to be taken into review.'

In the 'European areas,' the Prime Minister continued, the White man must remain the *master*. It was deceit of the worst kind to refer to White *leadership* in such areas. 'One can only talk about leadership if it is on a voluntary basis, that is to say if the European and the Non-European have equal political rights and the Natives then say, "I entrust the leadership to you on account of your greater capabilities." But one cannot talk about leadership as long as the laws of the country vest the political power in the hands of the White man.'

During the year under review, Dr J. N. Nhlapo has been granted reporting facilities in the Assembly and Senate, as the first African representative of the Bantu press.

#### Local government in urban areas

No further progress has been made with the Urban Bantu Authorities Bill of 1952.<sup>(15)</sup> It is of interest, however, that Benoni Municipality is introducing a new system, approved by the Native Affairs Department, in Daveyton. The township is divided into wards planned on an ethnic group basis. Each ward will be represented by one member who remains in office for three years. The chairman of the board is the chairman of the Non-European affairs committee of the town council; but the vice-chairman and chairmen of committees are elected by members. A full-time secretary is appointed. The vice-chairman is paid £10 a month and other members £5; and £1 is forfeited for any meeting not attended or for late arrival. Each member serves on two of the standing committees, which are:

- (a) Social services, to be concerned with clinics, health, welfare, churches, the crèche, schools, the social centre, sports, etc.
- (b) Development, concerned with roads, houses, lighting, sanitation, water-supply, parks.
- (c) Transport and licences, dealing with taxis, trading sites and licences, dog licences, buses, stop streets, etc.
- (d) Administration, concerned with regulations, police, staff, wages, labour, Native revenue account, and disputes referred by ward committees. This administration committee will approve resolutions of other standing committees before these are referred to the board. Its chairman will be the vice-chairman of the board.

The annual session of the Union Location Advisory Boards Congress was held in Uitenhage during January. No government officials attended it. The Congress, *inter alia*, expressed opposition to ethnic grouping, urged the repeal of the Bantu Education Act,

<sup>(15)</sup> The Institute of Race Relations issued commentaries on this in the documents RR.36/1952 and 78/1952

and voiced its concern at the rising cost of living and the proposed introduction of 'economic rentals.'

### Local government in rural areas

It will be recalled that the Bantu Authorities Act of 1951 provides for the establishment of Bantu tribal, regional, and territorial authorities which may, after consultation with the people concerned, be substituted for existing local or general councils. Each authority is to have its own treasury and possess administrative and executive powers. Tribal authorities, which are also granted judicial powers, consist of a chief or headman of a tribe or community in association with tribal counsellors: the elective principle is excluded.

In the Senate on 20 June 1955 the Minister of Native Affairs said:<sup>(16)</sup> 'The Bantu Authorities will have to undertake many obligations which were unknown in the old Bantu tribal life. One of their most difficult tasks will be created by the establishment of rural towns in their area. They will in course of time be expected to look after educational matters, to assist in the stabilizing of the youth against "tsotsi" tendencies, to plan the care of the aged on a sound basis, and to take part in the establishment of health services.'

In a press statement issued on 14 June 1955<sup>(17)</sup> the Chief Information Officer of the Department of Native Affairs said that each authority would be empowered to impose levies for specific purposes such as local road building, educational facilities, and construction of dams. They would also be assisted financially by the S.A. Native Trust and from ordinary departmental appropriations. So far, 49 Bantu tribal authorities have been proclaimed, all of which should be functioning by the end of September. These were mostly in the northern and western Transvaal, northern Natal, and the Transkei. Later, numbers of these authorities would be linked on an ethnic basis in a regional authority, and regional authorities would eventually be linked in territorial authorities.

### United Transkeian Territories General Council (Bunga)

It will clarify matters if before recording the decision made by the Bunga at its meeting in April 1955, the present constitution of the district councils and the General Council of the Transkeian Territories is outlined.

District councils, forming the executive organs of the General Council in local administration, exist in each of the 26 Transkeian districts. Twenty-two of the councils are presided over by the district magistrates, while the remaining four have elected African chairmen: the intention has been that Africans should take over as soon as the councils are considered to be ready to handle their own affairs. Each council has six members (except that in four districts

<sup>(16)</sup> Hansard 15, col. 4538.

<sup>(17)</sup> Published in *Rand Daily Mail* and other papers of that date.

the paramount chiefs are additional *ex-officio* members). In districts other than Pondoland two of the six members are nominated by the Governor-General and the remaining four are appointed by electoral colleges from amongst their members. These electoral colleges are composed of three members elected by taxpayers and quitrent payers in each of four sections of the magisterial district concerned. In Pondoland the electoral colleges appoint two instead of four members, two are appointed by the paramount chiefs, and, as before, two are nominated by the Governor-General.

It appears that, in practice, a minority of the electorate exercises its voting right. Teachers, who form the majority of the educated group in rural areas, are not permitted to stand for election unless special approval is granted; but chiefs and headmen are, and if they decide to stand their election is almost a foregone conclusion.

The district councils carry out such duties as are allocated to them by the General Council, such as road maintenance and dipping operations. The central body remains financially responsible for their actions, however; there is one common treasury into which all revenues flow, and which is chargeable with the cost of services authorized. The expenditure from this treasury is in the neighbourhood of £300,000 a year.

The General Council sits under the chairmanship of the Chief Magistrate of the Transkei, who is also its chief executive officer. It is composed of three African members from each of the 26 districts, the four paramount chiefs, and the White district magistrates who take part in deliberations but have no vote. Outside Pondoland two of the three African members from each district are nominees of the district council and the third is nominated by the Governor-General. In the districts of Pondoland the district council, the paramount chief concerned, and the Governor-General each nominate one member. In recent years the Governor-General's nominees have all been chiefs or headmen, and, for the reason outlined above, a large proportion of the councillors appointed by district councils are chiefs or headmen too.

The General Council meets in annual session to consider its budget, motions submitted by members (including magistrates), and matters referred to it by the government or by district councils. It may levy rates and, with the Governor-General's approval, make regulations binding on Africans in its area of jurisdiction. It has an Executive Committee consisting of the Chief Magistrate, three magistrates appointed by him, and four African councillors elected by the Council, which deals with staff matters, scholarships, agriculture, and public works. All the chief officials are White, and since 1944 they have been members of the public service and thus not employees of the Council. There are a number of standing committees (including one that deals with any draft legislation referred to it by the government) which carry on business between sessions of the Council.

This Council system is a long-standing one: the first district councils and a general council linking them were created in the Transkei in 1895 and in Pondoland in 1911. The general councils of Pondoland and of the remainder of the territories were amalgamated in 1930. Particularly in recent years, there has been mounting criticism of the effectiveness of the system, however. Africans have felt that too much of the responsibility is carried by White officials, that African councillors have no real function beyond that of advisers, that the executive and standing committees do not keep the Council fully enough informed of their actions, that too much money is spent on roads to White trading stations and seaside resorts. Educated Africans have taken little interest in the working of the system.

Since the Bantu Authorities Act was passed in 1951, officials of the Native Affairs Department have explained its implications and proposed working at numerous meetings with chiefs and commoners. In this new system, it will be remembered, the elective principle is excluded in the composition of tribal authorities, which consist of chiefs or headmen in association with a number of tribal counsellors. Regional authorities (on the district council level) will be composed of members elected or selected from amongst the membership of tribal authorities in the area; and territorial authorities (corresponding to general councils) will consist of members elected or selected from amongst the members of the regional authorities. On the other hand, these authorities will all have their own treasuries (as is stated above, district councils in the Transkei do not have individual treasuries), and will also be granted considerable administrative and executive powers. While officers of the public service may be designated by the Minister to act in an advisory capacity to regional or territorial authorities, it is intended that White officials, in general, shall play a smaller part in the affairs of the Bantu authorities than they at present do in those of the Transkeian Bunga. There is, of course, nothing to prevent the government from extending the powers of the Bunga, of its district councils, and of the African members and officials.

At its 1953 session the Bunga resolved to request the government not to apply the Bantu Authorities Act in the Transkei. The 1955 session was opened by Mr M. D. C. de Wet Nel, M.P., a member of the Native Affairs Commission. He said<sup>(18)</sup> that through the imposition of a western system of local government the Bantu had lost all initiative in the handling of their local affairs. Councils had been grafted on to traditional forms of government, but this had been done in such a way as to destroy the traditional authority without putting anything in its place. The Under-Secretary for Native Affairs (Native areas), Mr C. B. Young, addressed the Council on the working of the Bantu Authorities Act.

A resolution previously tabled by members of the Council

(18) As reported in the Assembly, 20 April 1955, Hansard 11, col. 4259.

sought to vote the Bunga out of existence, replacing it by Bantu authorities. The chairman pointed out that the Bunga could not disestablish itself: necessary machinery would have to be provided by the government. Mr Young explained that the establishment of tribal authorities must precede that of regional or territorial authorities. The Act, he said, aimed at building up the power of the chiefs and restoring a Bantu aristocracy. A nation could fulfil its destiny only if it was based on the development of the whole people, and not on that of a comparatively few individuals only. After some debate, in which the absence of the elective principle in the constitution of Bantu authorities was mentioned, the Council adopted a motion accepting the principle of the Act, but requesting that in order to preserve the solidarity of the Transkei, a committee be appointed to consider how best to integrate the council system with the scheme for Bantu authorities. A committee of 20 African councillors and six White magistrates was appointed, to report to the next session of the Council in 1956.

This decision, which appeared to be nearly unanimous (there were some abstentions but no votes were cast against it)<sup>(19)</sup>, was hailed by the Minister of Native Affairs as a triumph for apartheid. It gave rise to considerable astonishment among educated Africans and many White people. It appears to be undoubted that Africans have lost faith in the efficacy of the Bunga as an organization representative of their people, in the continually postponed promises of increased power for African councillors. On the other hand, it would not be necessary to replace the Bunga by a territorial authority in order to enlarge its powers. As is explained above, a large majority of the councillors present were chiefs and headmen; and the Bantu Authorities Act offers them greatly enhanced authority and prestige. It also provides for the establishment of tribal treasuries. Moreover, at the time of the meeting, there was much talk of the elimination of 'White spots' in the Transkei.<sup>(20)</sup>

The Ciskeian General Council later accepted by 15 votes to one against and two abstentions a report recommending that the Bantu Authorities Act be accepted and requesting the government to apply it to the Ciskei.

#### Meeting of the Minister of Native Affairs with tribal leaders

During the past year the Minister of Native Affairs, accompanied by a number of senior officials of his department, has held discussions with leading representatives of the Sotho, Venda, Tsonga, and Zulu tribes. In November 1954, just before the Senate elections, an indaba was held at Oliphants River, near the Zebedelia citrus estates, attended by 71 Sotho chiefs accompanied by some 170 headmen and counsellors from the central and northern Transvaal.

(19) The President and the Director of the Institute of Race Relations were present at the meeting and recorded their impressions.

(20) See Page 128.

The following week the Minister and officials met 17 Venda and Tsonga chiefs with about 43 followers at Sibasa, near Louis Trichardt. Tents were pitched to accommodate the visitors, oxen were slaughtered, and, in the evening, entertainment and educational films were shown. Talks were given on the Bantu Authorities Act,—this would build up the power of the chiefs and restore the African aristocracy, it was said,—and on the Bantu Education Act and proposed ethnic grouping in towns. Through these measures, the people were told, each tribe would have its own government conforming to its traditions and custom; tribal bonds would be retained, urban children would be taught in their own languages, and subsidies for Bantu education would go to the government's 'rightful heir,'—the African people themselves,—rather than to the missions. Questions were invited.

No further, similar meetings took place until after the parliamentary session, but early in October 1955 a three-day indaba with about 300 Zulu chiefs and some 200 headmen and counsellors was arranged at Nongoma in Zululand. Again the principles of the Bantu Education Act and Bantu Authorities Act and of ethnic grouping in towns were explained. Officials pointed out that every African could not be a farmer, and said that after detailed maps showing tribal and ethnic groups had been prepared, rural villages would be established to accommodate those who would have to be diverted to other occupations. The Minister of Native Affairs announced that houses were to be built at Pretoria and other large centres for the leading representatives of each ethnic group, where they could stay when consulting the departmental officials or visiting their tribesmen. Training schools for the heirs of chiefs of each main tribe were to be established; and after the course of training the men would be temporarily absorbed into the Native Affairs Department to gain experience in administration. At the conclusion of the conference, spokesmen for the chiefs told the Minister that they would prefer to consult their tribesmen before deciding whether or not to accept Bantu authorities.

Educational courses for chiefs, as described in previous issues of this *Survey*, have been continued. During February 1955, for example, departmental officials arranged a three-day course for Zulu chiefs at Vuma Trust Farm, Natal. Mr W. A. Maree, M.P., a member of the Native Affairs Commission, stressed in his opening speech the Government's desire that chiefs should interest themselves in education and in the exercising of judicial functions according to Native law and customs. Lectures were given on law and administration, agriculture, forestry, Bantu education, and Bantu authorities.

#### **Legislation regulating the African population of urban areas**

At the 1955 Council meeting of the Institute of Race Relations, Mr D. B. Molteno presented a paper on Urban Areas legislation.<sup>(21)</sup>

<sup>(21)</sup> Since published in *Race Relations Journal* No. 2 of 1955.

It is an extraordinary phenomenon of mass psychosis, he said, that the illusion has persisted that the Union can be divided into 'White areas' and 'Native areas,' since the fact is that more than half the African population lives outside the reserves, possessing no right of residence or property there. Security of tenure and the prospect of economic independence in other rural areas are denied to this majority of the Africans; and, furthermore, they are afforded no enforceable right to reside, acquire property, carry on independent economic activity, or freely to seek and take up employment in the towns.

A narrow range of exemptions exists from the provisions of section 10 of the Urban Areas Act, which lays down conditions for residence of Africans in urban areas, but these exemptions are themselves subject to other provisions of the Act which authorize their being entirely whittled away.

The powers conferred on local authorities to set apart land for African townships and to provide housing or to require employers to do so are purely permissive (although the Minister may compel them to exercise these powers). If such land or accommodation is not provided, or if the accommodation is inadequate, Africans may yet be prohibited from residing elsewhere in the urban area. Nor can they live in an urban area adjoining that in which they are employed. Hence the growth of illegal slums.

Residential rights within African villages are as much a matter of grace—not of right—as is the case outside, since discretion has been conferred on local authorities to prescribe by regulation, subject to the approval of the Minister and the Administrator, the terms and conditions of residence in locations or villages. The newer type of regulations makes the issue of a site, residential, or lodger's permit dependent not only on the location superintendent's opinion as to whether the applicant is a 'fit and proper person,' but also on the applicant having employment.

The Urban Areas laws deny the African freedom of movement not only from country to town, but from one town to another. Restrictions on movement impose drastic limitations to his opportunities for productive employment.

It is needless to emphasize that the vast and discretionary powers described are exercised by persons of a race alien to the Africans. It may be contended that so long as discretionary powers are equitably exercised, the interests of the individual are as effectively safeguarded as by rule of law. But a system exercised by administrative bodies or officials without any obligation to observe legal principles, to hear evidence, or even to accord the individual affected a hearing, constitutes in essence a charter of tyranny.

A municipal representative present said that regulations are applied with a large measure of give and take. Local authorities accepted the fact that they had to provide for a permanent urban African population. But, he considered, there was some justification

for a controlled economy, for elimination of waste of labour, for avoidance of conditions which in the past have led to squatter movements. Influx control, he said, was a form of social security for those Africans already in the towns.

### Influx control as affecting African men

The Natives (Urban Areas) Amendment Act, No. 16 of 1955, provides that an African whose home is in the Union may be permitted to re-enter an urban area after being away for not more than twelve months provided that he is returning to his previous employer and will be engaged in the same class of work that he carried out formerly. When the Bill was under debate in the Assembly, the Minister of Native Affairs said <sup>(22)</sup> that this was in accordance with his policy that the migrant worker should be given the opportunity of becoming stabilized: that is, he should be able to return to the same employer time and time again, his family remaining behind in one of the reserves. Skill he acquires would thus not be wasted.

While welcoming this concession, the Opposition and the Institute of Race Relations<sup>(23)</sup> regretted the provision that a man could return only for employment in the class of work in which he was previously engaged.

The operation of influx and efflux control and labour bureaux was described in detail in our last *Survey*.<sup>(24)</sup>

Johannesburg Municipality has related its housing policy to influx-control measures. Those Africans from the Union who were legally resident and working in the city before 1 January 1953 (approximately the time when labour bureaux and reference books were first introduced), are to be allowed to take up any type of housing and employment that is offered, except that houses will be sold only to those who have been legally in the area for five years. Of those who arrived in the city after that date and are in employment, any who already have their families with them will be permitted to rent houses, while the rest will be housed in single accommodation and warned not to bring their wives or families to Johannesburg unless special authority is obtained.

In the allocation of employment, first preference is given to Union Africans who have been legally resident in Johannesburg since before 1 January 1953, second preference to those who arrived legally in the city after that date and lose their present jobs,<sup>(25)</sup> and third preference to *bona fide* residents of Alexandra Township which is just outside the municipal boundary. This means that

<sup>(22)</sup> 3 February 1955; Hansard 2, col. 523.

<sup>(23)</sup> RR.32/1955.

<sup>(24)</sup> *A Survey of Race Relations*, 1953-4, page 39.

<sup>(25)</sup> Members of this group are endorsed out of the proclaimed area if they are unwilling to accept whatever work is available. The position of non-Union Africans is dealt with later.

legal residents of Alexandra are seldom able to obtain the much-sought-after clerical or operative posts and often have to choose between labouring work or domestic service in the city, or employment on farms outside. Men who have recently arrived illegally in Alexandra Township (i.e., without permission from the native commissioner in their home area) are unable to obtain any employment in the city. The result is that there are large numbers of unemployed men in the Township. Youths leaving school are often unwilling to accept the type of work offered them, decide to await a better opportunity, and meanwhile drift into delinquency. There are no street lights, few police, and fewer telephones in Alexandra, and in consequence of the number of unemployed persons and the deplorable social conditions, it has become the most gangster-ridden township in the country.

Yet, according to the annual report of 1954 of the Entokozweni Family Welfare Centre, the majority of the people of Alexandra are decent, hardworking, thrifty people, in most cases engaged in a grim struggle for survival. Dr M. W. Susser, of the Health Centre and University Clinic in the Township, estimates<sup>(26)</sup> that 34,000 of the 80,000 Africans there live even below the 'sub-human level of the poverty datum line.'

Officials of Johannesburg Municipality are, at the time of writing, holding discussions with the Native Affairs Department and the Alexandra Township Health Committee on the employment position.

The Department of Native Affairs recently prohibited Africans from the Ngotshe, Ngwavuna, Ubombo, Nongoma, and Hlabisa districts of Zululand from seeking work in Durban, and the Durban and District local authorities have been requested by the Chief Native Commissioner, Natal, to stop issuing work-seeking permits to Africans from these districts, even if they have previously worked in the urban area concerned, and irrespective of such other influx-control policies as may be in operation. The only exceptions permitted are that Africans who have been genuinely on leave may return to the same employer, and that with the permission of the Chief Native Commissioner, Natal, certain types of African workers may be imported to meet special requests.

A case of much interest, arising from the tightening of influx-control regulations, was that of Mr E. Mathebhula who was born in Ermelo and lived there for some years. Later he moved to Johannesburg, but although he ran a business in that city for eighteen years he continued to regard Ermelo as his home, paid his poll-tax there, and voted there in Senate elections. He is in possession of an exemption certificate. Towards the end of 1954 he decided to return permanently to his home town, but soon after arrival was served with a municipal order requiring him to leave.

<sup>(26)</sup> In speech at conference on Non-European Social Work, Johannesburg, July 1955.

After an unsuccessful appeal to the native commissioner he lodged a further appeal, which was upheld by a bench of three judges in the Supreme Court, Pretoria. The court was of opinion that as Mr Mathebhula was born in Ermelo and regarded it as his permanent home, he was entitled to remain there. The municipality then asked leave to appeal to the Appellate Division as the matter was of great importance to local authorities; and leave was granted on condition that the respondent undertook to pay all the costs. This case has yet to be heard.

### Influx control as affecting African women

While several local authorities, including Johannesburg, have been asked by the Secretary for Native Affairs to give attention to the possibility of limiting the influx of African women and of requiring 'undesirable' women to leave their areas, it is in the Western Cape only<sup>(27)</sup> that women have so far been issued with 'passes.' The Minister of Native Affairs is reported<sup>(28)</sup> to have informed the National Party Congress in Pretoria, however, that identity books for African women were being prepared, and that their issue would commence on 1 January 1956. These books would differ in some respects from the reference books men were required to carry.

For the past eighteen months, however, local authorities in the Western Province of the Cape have been required to exercise strict control of the influx of African women into their areas. The new section 10, enacted in 1952, of the Natives (Urban Areas) Consolidation Act, has been applied there.

In terms of sub-section (2) of this, permits are being issued to African women authorized to remain in the urban areas of the Western Province, indicating the purposes for which and period during which they may remain there. Up to November 1954, some 5,000 of these permits had been issued in Cape Town.<sup>(29)</sup> It became known that in terms of section 10 *bis* it could be deemed an offence to employ *any* African not in possession of a permit to seek or take up employment, and many employers of African women sent them to obtain these documents.

Then, in November, a small number of women who could not satisfy the authorities that their presence in the area was lawful, were prosecuted and 'removed to their homes or last places of residence.'

After that, African women became anxious to safeguard themselves, and the demand for permits grew to such an extent that

<sup>(27)</sup> See page 90 for Government policy in regard to Africans in the Western Province.

<sup>(28)</sup> *The Star*, 23 September 1955.

<sup>(29)</sup> Information in this section from letter from Town Clerk of Cape Town to National Council of Women of S.A. (Cape Town branch), 25 March 1955.

several special offices were opened, between them issuing another 8,550 permits by the middle of March 1955. The maximum period of validity of these documents is twelve months; such permits are given to applicants who fall in the 'exempted' classes, that is, who really require no permission to remain in the urban area because (a) they were born and permanently reside there, or (b) they have worked continuously there for one employer for not less than ten years, or have lawfully remained in the area for not less than fifteen years, and fulfil certain requirements as to character, or (c) they are the wives, widows, or unmarried daughters of men who fall into either of the two classes mentioned above. Permits for lesser periods, as short as one month in some cases, are issued to women lawfully in the area who do not fall into one of the 'exempted' classes or who cannot produce proof that they do so. Should a woman remain longer in the proclaimed area than the date stamped on her permit, without applying for and being granted an extension, she is liable to arrest and prosecution.

By mid-March some 20,000 or more women had been registered, not only in the Cape Town municipal area but also in the divisional council area and in adjoining municipalites such as Goodwood, Pinelands, and Fishhook.

The Cape Town branch of the National Council of Women of South Africa has been very deeply concerned about the threatened separation of husbands and wives, the grave sense of insecurity felt by Africans, and the possible ejection of many women who have no homes in the reserves. It has set up an *ad hoc* committee, on which members of the Cape Western Regional Committee of the Institute of Race Relations are serving, to consider how best to assist the African women. It was decided that volunteers would visit the locations and 'black spots' to advise the women there on their rights under the Act: many are unaware that provision is made for 'exempted' classes, do not know how to set about proving that their presence is lawful, do not realize that they have the right of appeal to the native commissioner. A leaflet setting out this information has been prepared for circulation among the women.

In a press statement issued on 20 July 1955<sup>(30)</sup> the Christian Council of South Africa urged that the implementation of Government policy should not have the effect of further weakening ties of family life. The evil effects in the sphere of morality of the migratory labour policy have long been recognized, the Council said.

### Reference Books

The Minister of Native Affairs said in the Assembly on 13 May 1955<sup>(31)</sup> that 1,465,982 reference books had so far been issued to African men. Most of the Transvaal and certain areas of Natal and the Orange Free State, including the larger towns, had been covered.

<sup>(30)</sup> *Rand Daily Mail*, 21 July 1955.

<sup>(31)</sup> Hansard 14, col. 5591.



Since then, teams from the Native Affairs Department have visited Cape Town, East London, and other towns.

Port Elizabeth, for so long opposed to the scheme, has now asked the government to introduce in its area the registration of service contracts.

The Cape Western Regional Committee of the Institute of Race Relations pointed out early in 1955 that information given on an explanatory card supplied with reference books was confusing, creating the impression that Africans were permitted to move freely from one town to another in search of work. The Institute submitted to the Secretary for Native Affairs a suggested rewording of the text, which is to be adopted when new stocks of the cards are printed. Meanwhile, the first sentence, which is the one causing confusion, is being deleted.

#### **Natives (Abolition of Passes and Co-ordination of Documents) Act Amendment Bill**

This Bill was read for a first time on 29 April 1955, but was not proceeded with. It contained two main provisions, the proposal to issue a special document of the nature of a passport in place of a reference book to 'foreign' Africans, and a suggested measure to overcome abuses by 'pass consultants' and the forging and exchange of reference books. It sought to make it possible to prosecute not only a person who forges an entry in a reference book, but also the person in whose book the false endorsement is made.

#### **Control of so-called pass consultants**

Since influx-control measures were tightened, pass consultants and forgery gangs have conducted flourishing businesses in the proclaimed areas. Some Africans, bewildered by the complexities of urban legislation and unsure of how to present their cases to overworked officials at registration offices, have been willing to pay someone with more leisure to assist them. Others, who are illegal entrants to the urban areas, are prepared to pay large sums for documents authorizing them to remain. It was said<sup>(32)</sup> that pass consultants were charging as much as £7 10s. a time for their services.

As the Bill mentioned above was not proceeded with, the Government decided to deal with this matter for the time being by means of a notice in the *Government Gazette*. Notice No. 1080, of 27 May 1955, set out regulations approved by the Governor-General, under the Native Administration Act of 1927, as amended, for the control of persons acting as consultants for Africans. The notice forbids anyone (other than an attorney or advocate in cases of appeal) to take money from an African for giving advice about service contracts, permission to enter or remain in urban areas, the issue of reference books or making of entries therein,

<sup>(32)</sup> e.g., *The Star*, 24 January 1955.

or the registration of workseekers. The penalty for contravention of these regulations is a fine of up to £50 or up to six months' imprisonment. The regulations apply on the Rand and in Pretoria and Vereeniging.

The Field Officer of the Institute of Race Relations is preparing in brochure form a guide to urban Africans, written in three African languages and entitled *Signposts*. It explains what official assistance is available and how to set about obtaining it. The railways have agreed to provide Johannesburg Municipality with an office at the main station where Africans arriving by train may seek advice about regulations applying to them.

#### **Position of Africans from outside the Union**

Section 6 of the Natives (Urban Areas) Amendment Act, No. 16 of 1955, considerably tightens influx-control measures applicable to Africans whose homes are outside the Union. Those who contract to work on the mines are not affected, since they are returned to their homes on expiry of their contracts.

Africans from Portuguese East Africa, Rhodesia, and territories to the north are now not permitted to be in urban areas or proclaimed areas (which include certain peri-urban areas) at all, unless with the written permission of the Secretary for Native Affairs issued with the concurrence of the local authority concerned. New permits of this nature are not being granted. Those already lawfully employed in such areas and in possession of temporary immigration permits are now likely to be refused permission to remain after the date of expiry of such permits, even if they remain with the same employer. If they lose their jobs they are in any case ordered out.

Africans from the High Commission Territories also now need the written permission of the Secretary for Native Affairs or his deputy, issued with the concurrence of the local authority, to be in an urban or proclaimed area. In their case, however, those already lawfully in such an area at the date of commencement of the Act may stay so long as they remain there uninterrupted. During debate the Minister said<sup>(33)</sup> that they may be allowed to return home for holidays without forfeiting this right as long as they obtained prior permission from the local labour bureau or native commissioner. As the Minister repeatedly said that they must not be placed in a more favourable position than are Africans domiciled in the Union's reserves, it is assumed that even if lawfully in an urban area at the date of commencement of the Act, Africans from the High Commission Territories may be endorsed out on losing their jobs if no other suitable employment exists (unless they fall into the 'exempted' classes).

When this Act came into operation the S.A. Police set up blocks on the main roads into Basutoland, and warned all Basotho who

<sup>(33)</sup> Assembly, 28 February 1955. Hansard 6, col. 1809.

passed that they were liable to prosecution if they entered urban areas without a permit from the Union Government. In consequence, traders in nearby towns, particularly Ficksburg in the Orange Free State, were hard hit: Basotho tribesmen had for many years come there to buy their provisions and other requirements. It was reported<sup>(34)</sup> that both the Afrikaanse Sakekamer and the Chamber of Commerce of Ficksburg sent telegrams to the Minister of Native Affairs, and that as result the police were withdrawn, the Basutoland Administration being informed unofficially that Basotho could continue to visit neighbouring towns in the Union until machinery for granting permits could be established.

About eight years ago a number of members of the Apostolic Church of Zion migrated from Southern Rhodesia to Port Elizabeth. Some of them subsequently married Union Africans, and to-day there is a community of some 600 of them, living a communal life and running a large and prosperous cabinet-making, furniture and basket manufacturing and tin-smithy business in Korsten. None of the members has been convicted of any offence, nor has any trouble been experienced with them. The municipality planned during 1955 to ask them to move to Bethelsdorp, where a new factory was to be erected, but the Minister of Native Affairs has ruled that the whole community is to return to Southern Rhodesia.

#### Control of meetings or gatherings of Africans

In terms of Government Notice No. 2017 of 1953, as amended, the Governor-General may impose control of meetings or gatherings of Africans in any area. The permission of the Secretary for Native Affairs or a chief native commissioner, native commissioner or magistrate is then required before a meeting, gathering, or assembly at which more than ten Africans are to be present may be held. Certain exceptions are made: Members of Parliament or of Provincial Councils, or those nominated for election as such, may hold meetings of over ten Africans in the area concerned without obtaining permission, and *bona fide* church services, weddings, funerals, and sports gatherings are excluded. These provisions were during 1954 brought into effect throughout the Transkei and in the magisterial districts of Mafeking, Vereeniging, and Grahamstown. The municipal area of Kimberley has since been added.<sup>(35)</sup>

A case of some interest, which has not yet been settled, took place in Johannesburg towards the end of 1954. Municipal traffic by-laws in this city provide that the Town Clerk's permission must be obtained before meetings are held in public places. Two Africans were prosecuted for convening such a meeting in Orlando on 23 September without having sought the Town Clerk's authority. At their trial in the magistrate's court during February, counsel for the defence contended that the traffic by-laws were in conflict with

<sup>(34)</sup> *The Star*, 18 June 1955.

<sup>(35)</sup> Government Notice No. 2508 of 10 December 1954.

the Natives (Urban Areas) Consolidation Act of 1945, in terms of which Africans are free to hold meetings in African locations or townships other than those to which Government Notice 2017 of 1953 has been applied, unless such meetings have been prohibited by a magistrate after consultation with the police and municipal officials. The magistrate upheld this contention and ruled that the by-law could not be held to apply to meetings of Africans in African locations. His ruling was upset in the Supreme Court, Pretoria, during May, the court considering that the provisions of the by-law and those of the Act were not in conflict, but were complementary. Because the matter was one of considerable public importance, however, the respondents were granted leave to appeal to the Appellate Division.

#### Removal of certain Africans from urban areas

Mr P. M. M. Kucna, a spiritual healer from Evaton, who has a wife and five children, was in December 1954 served with an order signed by the Governor-General and the Minister of Native Affairs directing him to move at once to a Trust farm at Frenchdale in the Mafeking district, and to remain there for an indefinite period. He applied to the Supreme Court, Pretoria, for an order declaring his removal order to be null and void. He was entitled, under the Native Administration Act of 1927, as amended, he submitted, to be given full details of the nature of any charges against him and to have opportunity of replying to these before the Governor-General or the Minister could make any order. The Minister, in his replying affidavit, said that the Governor-General-in-Council had decided on sufficient and reliable facts that Mr Kucna's behaviour was detrimental to peace, order, and proper administration. He was aware of the complaints the department had against him. In terms of the Native Administration Act it was unnecessary to give him the opportunity of making representations.

The judge said that the application involved principles of constitutional law and was one of considerable importance. It was, therefore, referred to a full bench, and was heard during August 1955, together with a similar application by Mr J. H. Saliwa who had been ordered to move from the Glen Grey district, in the Cape, to the Pietersburg district.

Their applications were dismissed, the two judges who heard them being in agreement. The relevant parts of the Act, they said, must be considered against their ethnological background, which included the principle of autocratic authority in the person of the Governor-General as Supreme Chief of all the Africans. In terms of the Native Administration Act, the *audi alteram partem* rule fell away because the legislature apparently intended the Governor-General to act in the public interest, even when his action might affect a tribe or individual who might be blameless. The Governor-General's decision, except that it must be made in good faith, was unlimited.

In the Assembly on 13 June a Member of Parliament asked for information about a similar removal by administrative order, without trial, of Mr E. Monarc from Benoni to Glen-Red in the Vryheid district. The Minister of Native Affairs replied<sup>(36)</sup> that such removals of Africans who harm their own communities were from time to time ordered, and the process was no new one. More rural than urban Africans had so far been affected. Each was sent to a different area. They were not confined in any labour camp, and were, on application, entitled to have their wives and children sent to join them at the state's expense, and to claim state support for their dependants.

### Taxation of Africans

The Minister of Native Affairs has indicated that he may find it necessary in the next three to five years to increase the direct taxation of Africans in order to pay for the development of Bantu education. In the Assembly on 31 January 1955 he said<sup>(37)</sup> that such an increase 'need not, of course, take place . . . by means of an equal all-round increase of the poll-tax. Great differences have arisen in the income of the individual Bantu. There are those who cannot contribute more than they are doing now, but there are others who are still not paying ordinary income tax who could certainly contribute £1 or £2 more *per annum* in the form of general tax than they are doing now . . . I have already appointed a committee and . . . there is a report from them in which it has been worked out how we can obtain a considerable increase of revenue in a reasonable way without placing an unbearable burden on a single Bantu.'

### Research in progress

The Institute for Social Research at the University of Natal has completed an inter-disciplinary study of an urban African community at Baumanville, Durban. The results will shortly be released. The significance of the study lies not so much in analytical presentation of the data covering a wide variety of aspects of the life of the African town dweller, but in interpreting their interrelatedness and indicating the processes of adaptation in the economic, cultural, spiritual, and sociological fields.

Research workers of the Institute of Social and Economic Research, Rhodes University, are making studies of African systems of morality, and of the education of Africans in the Union. These projects have been financed by grants from the Nuffield Foundation.

The National Institute for Personnel Research, in Johannesburg, is validating for secondary industry its battery of tests for illiterate and semi-illiterate Africans. Methods for selecting African civil servants are also being developed. In connection with these

<sup>(36)</sup> Hansard 19, cols. 7612, 7627-30.

<sup>(37)</sup> Hansard 2, col. 313.

projects new tests, such as educational achievement and a pictorial test of occupational preferences, are being constructed. Studies are also being made of attitudes towards various types of work, occupational preference and character formation in Africans.

In collaboration with physiologists and nutritionists, investigations on the work capacity measurement of African miners with special reference to motivation, are being carried out. The effect of humidity, temperature, and acclimatization on the learning ability, vigilance, quality of output, endurance and personality responses of African mine workers is also being studied.

Laboratory investigations of psycho-motor learning and perceptual ability are in progress. The relationship between developmental curves and nutritional status, socio-economic and cultural backgrounds of a group of African children is being investigated.

Dr S. Biesheuvel, Director of this Institute for Personnel Research, contributed an article to *Race Relations Journal* No. 3 of 1955 entitled 'Mind, Manners and Morals: Some Problems in Cultural Readjustment.'

Among research projects in progress at the University of the Witwatersrand are studies of changes in African marriage and family systems, and reactions of Africans to advertising. Professor D. T. Cole is continuing his research into the tonal structure of Tswana, while Professor L. Maingard is studying Bushman and Koranna linguistics.

Projects in progress at the University of Natal include studies of the influence of the school curriculum on the way of life of an African rural community, Zulus in towns, economic aspects of African urbanization, conditions in the reserves, passive resistance, and problems of an African educator, the social structure of the Southern Bantu, marriage, family and kin among the Lobedu, passive resistance, and completion of the Zulu dictionary.

ment is that the people of Cala and Engcobo, districts adjoining Ncora, have undertaken to set up their own community centres.

### The Valley Trust

The Valley Trust, near Botha's Hill, in Natal, founded by Dr H. Stott, is also making good progress. Its activities in the field of health are dealt with later. In addition to providing curative and preventive services, the Trust is endeavouring to bring home to the Africans the fact that health depends also on feeding and ways of living. It maintains an agricultural demonstration and soil conservation project, urges the preservation of trees, distributes fruit trees and seeds to Africans, and provides instruction on food production, balanced diets, and conservation farming.

## EMPLOYMENT

### The General Economic Situation in South Africa

The general financial situation in the Union remained relatively sound during the year under review. Once again, the increase in the monetary value of economic activity was greater than the rise in price levels, indicating that there had been an appreciable increase in production.

The Governor of the S.A. Reserve Bank, in his address at the annual general meeting of stockholders on 10 August 1955, said that the total national income of the Union (i.e., including income accruing to non-Union factors of production), which had increased at a rate of over 11.5 per cent. per annum between 1946-7 and 1952-3, as compared with an annual increase of about 7.2 per cent. in the average wholesale and retail price indexes, had risen by £95 million to £1,521 million in 1953-4, i.e., by 6.5 per cent. over the previous year, as compared with an increase of about 1.4 per cent. in the average wholesale and retail price indexes.<sup>(1)</sup> The increase was, as in previous years, spread over practically every branch of the economy. Available data indicated a continued expansion of economic activity in 1954-5.

After successive annual deficits in 1951, 1952, and 1953, the balance of payments showed a favourable turn after the first quarter of 1954, yielding a net surplus of £44 million for the year. Exports of merchandise, especially uranium, maize, and sugar, increased considerably, as did the net gold output; and the net inflow of capital from abroad was higher than in any year since 1948. In view of this, substantial relaxations of import control were announced during 1954, and again in February 1955. During the latter month the Bank of England rate was raised to  $\frac{1}{2}$  per cent. above the S.A. Reserve Bank rate, and, partly as result, the net flow of capital to South Africa declined. As a consequence of these factors, the balance of payments showed a deficit of about £27 million during the first half of 1955. The Governor of the Reserve Bank said, however, there was every reason to assume that the seasonal pattern of recent years would manifest itself again during the latter half of the year, resulting in a substantial, favourable trade balance (inclusive of gold). (Later, however, in September, the bank-rate in South Africa was raised to the same level as that prevailing in Britain.)

While this surplus in the balance of trade should tend to increase, the Governor of the Bank added, it was unlikely that it would be sufficient to meet the net payments for shipping and other services, interest, dividends and profits, as well as the repayment of foreign loans. South Africa would thus continue to be dependent upon a

(1) The increase over recent years in the real national income is shown in indexes contained in Memorandum No. 13 of the Bureau of Census and Statistics, *Net National Income 1952-3*.

net inflow of foreign capital in order to maintain approximate equilibrium in her balance of payments. She would have to compete with the rest of the world for available capital, and it was thus essential that favourable and attractive conditions for foreign investment be maintained.

The principal limiting factor in our economy, he said, would, for some time at least, probably continue to be an acute shortage of labour. This shortage will be referred to again in the pages that follow.

### The Cost of Living

As is pointed out above, there have been further increases in prices and, consequently, in production costs. The retail price index (1938=100) rose from an average of 192.4 in 1953 to 195.9 during the following year, and had reached 201.7 in April 1955. The most rapid increase has taken place in the average prices of foodstuffs.

These index figures are, however, not a reliable guide to the cost of living, for they cover certain items only and are based on a budgetary survey conducted in 1936, since when patterns of consumption have probably changed very considerably. Moreover, as the survey was conducted among White families in the £225 to £450 income group, the conclusions were possibly not altogether valid for those families whose incomes were below £225 a year—that is, for most of the Non-Whites. The Institute of Race Relations has on several occasions pointed to the urgent need for reliable cost-of-living statistics, relating especially to families in the lower income groups, to serve as a basis for minimum wage determinations, cost-of-living allowances, determination of qualifying income-limits for sub-economic housing, and many other purposes. It has urged that fresh budgetary surveys be conducted, among Non-White as well as White communities.

A sum of £10,000 has now been voted by Parliament for a survey of typical budgets of 3,250 White families in the nine main urban areas and in fifteen smaller towns. The Minister of the Interior announced<sup>(2)</sup> that it was possible that a further survey of Non-White budgets might be undertaken at a later date.

The National Nutrition Research Institute is commencing work on an investigation of the feeding habits and extent of malnutrition amongst the various racial groups in South Africa. It is estimated that this project will take some three years to complete.

### Incomes and Budgets of Non-Whites

Very valuable studies of the socio-economic status of African families have been conducted under the auspices of the National Building Research Institute, the purpose being to determine the rentals people can afford to pay and, thus, to enable local authorities

(2) Assembly, 9 May 1955. Hansard 14, col. 5222.

to plan housing schemes realistically. The results of the first survey, conducted in Payneville Township, Springs, were described in earlier *Survey of Race Relations*<sup>(3)</sup>; further investigations on similar lines have now been carried out in Germiston, Durban, Vereeniging, Cape Town, Port Elizabeth, and Alexandra Township, and the results are shortly to be published.

During the year under review a number of local authorities conducted surveys of the incomes of residents of African townships, in order to determine ability to pay rentals at 'economic' rates. The resulting information is, unfortunately, not comparable with the findings of surveys conducted by the Institute of Race Relations and other bodies, or with earlier municipal investigations in Johannesburg, since the family income is computed on a different basis. The formula laid down by the Minister of Native Affairs for this purpose includes the full earnings of the occupier of a house, together with amounts paid him by lodgers up to a maximum of £4 per lodger per month, plus half the income of each of his children residing with him, up to a maximum of £4 per child per month. Any sums earned by his wife are not included.

In November 1954, the Southern Transvaal Regional Committee of the Institute of Race Relations made a detailed study of the income and expenditure of the Nkosi family, who live in Orlando, Johannesburg. While it is obvious that a study of the budget of one family cannot elicit facts of general application, the results are of interest. The family consists of Mr Nkosi, his wife, and five children, three of whom are at home. They are intelligent, resourceful people, better off than are most African families, with a monthly income averaging £21 15s. when £2 sent monthly to a son away at school has been deducted. None of them drinks or smokes. On the basis of detailed investigations over a period of a week, it was estimated that even with the most careful management they overspent their income by an average of £4 18s. 6d. a month; to make good the deficit, Mr Nkosi did overtime work periodically, or his wife took in extra laundry work, or else the family simply went hungry, which was the only way of saving.

As was expected, the investigation showed that the family ate too much bulky food, such as mealie meal, and insufficient protective foodstuffs. An *ad hoc* committee of experts drew up a more nutritive but minimum-cost diet, arranged menus for a week, and purchased the necessary ingredients. It was found that this diet cost £3 7s. 9d. a week, whereas the family normally spent £2 17s. 9d. In other words, if the Nkosis had continued on a diet considered to be the minimum necessary for health, their income deficit would have been £5 8s. 6d. a month. And they are better off than are many other families. This bears out the conclusion reached by Miss Olive Gibson in a study conducted for the Institute of Race Relations in

(3) 1951-2 *Survey*, page 39, and 1953-4 *Survey*, page 162.

## EVENTS OUTSIDE SOUTH AFRICA WITH BEARING ON THE SOUTH AFRICAN SCENE

### The High Commission Territories

It will be recalled that during 1954 the Union's House of Assembly, by majority vote, resolved that the transfer to the Union of the government of the High Commission Territories should take place as soon as possible, and urged that immediate steps be taken to resume negotiations with the United Kingdom Government. The British Prime Minister said in the House of Commons that he hoped the Union Government would not press the issue.<sup>(1)</sup>

The Union's Prime Minister has since said<sup>(2)</sup> that the resolution was forwarded to the British Government, but that their reply must be treated as confidential. It was, the Prime Minister continued, not the appropriate time to take negotiations any further. His Government continued to hold the view, however, that it was in the interests of the whole of South Africa, including its African peoples, that the Territories should be handed over to the Union.

At the Free State Congress of the National Party there was a motion on the agenda calling for the imposition of sanctions, in the form of a duty on food exported to the Territories, if agreement could not be reached. The Prime Minister is reported to have said that such action would be quite out of place and ill-advised: the matter was one for friendly negotiations. World conditions made it imperative that South Africa should do all in its power to maintain and strengthen co-operation and friendship with the governments of other territories in Africa. He went on to emphasize that South Africa would indubitably become a republic.

In the same speech, the Prime Minister said that if the Territories were handed over to the Union they would be treated in the same way as were the Native reserves of South Africa: as national homes for the Africans, where the latter could develop in accordance with their own traditions and ways of life. It appears from pronouncements by Government supporters that the incorporation of the High Commission Territories is considered to be essential for the full working out of the apartheid plan.

### Features of United Nations' debates on affairs of member states

A marked relaxation of the pressure of attacks on South Africa's policies was noticeable during the ninth session of the United Nations' General Assembly in 1954. Reasons for this may have included South Africa's possession of uranium supplies: its membership of the international agency for the peaceful uses of atomic

(1) See last Survey, page 28.

(2) Senate, 17 June 1955; Hansard 14, cols. 4396-7, and speech at Free State Congress of the National Party, as reported in *The Star*, 14 September 1955.

energy was unanimously endorsed by the Political Committee of the Assembly. Certainly, however, there was a feeling amongst some delegations that resolutions of censure result only in a hardening of attitudes. Furthermore, there was increased opposition to interference in the domestic affairs of member states.

In the Union Parliament on 5 May 1955, the Minister of External Affairs said<sup>(3)</sup> that provision had been made on the agenda for the tenth session of the U.N. General Assembly for discussion of steps to be taken for a revision of the Charter after a period of ten years. South Africa was exceptionally interested in this matter, he continued, for it has always strongly upheld the provisions of section 2(7) which prohibit interference in the domestic affairs of any state. Other delegations had maintained that these provisions were subject to section 55, which deals with human rights. According to information he had obtained, the Minister said, the sub-committee that originally drafted the Charter had resolved that section 55 should not override section 2(7).

During October 1955, the General Assembly decided by a narrow majority of votes to include on its agenda a debate on the situation in Algeria, where serious disturbances had taken place. Maintaining that Algeria was part of Metropolitan France and that in terms of section 2(7) the United Nations was thus precluded from discussing conditions in that country, the French delegation walked out of the Assembly. The French Government then announced that it would provisionally recall its permanent delegation to the United Nation, but would continue to be represented in the Security Council and the Disarmament Sub-Committee.

The General Assembly overruled South Africa's objection to the inclusion on the agenda of consideration of racial policies and the treatment of Indians in the Union and of the administration of South-West Africa. The representative of South Africa then announced that his delegation would refrain from participation in these debates, but reserved its right to vote.

### United Nations' consideration of racial policies in the Union

The economist appointed by the United Nations' Commission on the Union's racial policies stated in his report that while economic progress had continued in South Africa, industrial development had been impeded by restrictions on the freedom of Non-Whites in the field of economic activity. The continued poverty of the large mass of them meant that markets were restricted. Racial tensions had increased. All these factors probably affected the inflow of capital and rate of immigration. The net effect of the apartheid policy would appear to have involved very considerable burdens on the Union's economy.

The second report of the special commission warned that the policy of apartheid constituted a grave threat to the internal

(3) Assembly, Hansard 13, cols. 5101-2.

situation and to the foreign relations of the Union. The commission said that the various racial groups must necessarily wend their way together, thus the road of gradual integration was the only one that seemed to be open. To travel that road successfully one side would have to jettison theories of racial superiority, while the other would have to realize that the idea of fraternal equality and collaboration enshrined in the U.N. Charter could not become a reality without passing through many successive stages. Various measures to alleviate 'the serious suffering' of the African people were urged.

Twenty Asian, African, and Latin-American countries placed a draft resolution before the Special Political Committee to the effect that the commission should continue its work and that the Union should again be invited to review its racial policies and to consider the suggestion that technical experts from the United Nations should assist with advice. This resolution was opposed by several delegations: Britain and Australia maintained that the United Nations was in terms of section 2(7) of its Charter not competent to deal with the Union's racial policies, while the view of the United States was that the problem of inter-racial tensions should be considered in a world context and not in relation to South Africa alone. The resolution was carried, however, first by the Special Political Committee, and later, by 40 votes to 10 with 10 abstentions, by the General Assembly.

The special commission re-elected Mr Hernan Santa Cruz, of Chile, as its chairman and rapporteur: the other members are M. Henri Laugier, of France, and Mr Dantes Bellegarde, of Haiti. Its third report was issued at the end of the period now under review. Developments in South Africa over the year were analysed in detail, the commission's general impression<sup>(4)</sup> being that while political leaders remained firm in statements of principle, the apartheid programme had recently been characterized mainly by gradualism and flexibility. It might well take many years, the commission said, before the theories bore even a modest resemblance to actual fact. By then the succession of generations, White and Black, would have changed the course of events.

#### **United Nations' consideration of South-West Africa**

As the Union has steadfastly refused to resume the voluntary submission of reports on South-West Africa, the secretariat of the United Nations itself prepared a report on social, economic, and financial conditions in the territory. It was stated in this report that after 35 years of administration under the mandates system, African inhabitants were still not participating in the political development of the territory, that their participation in its economic development was restricted to that of labourers, and that social and educational services for their benefit were far from satisfactory.

(4) As reported in South African newspapers.

The seven-member committee appointed by U.N. suggested a new formula at the ninth session of the General Assembly: that the territory be placed under United Nations guardianship (instead of the International Trusteeship system), annual reports on its administration being submitted to the Assembly. Unless South Africa's concurrence was forthcoming, however, it was likely that stalemate had been reached. The International Court of Justice had ruled that although the United Nations was competent to supervise the administration of South-West Africa, in exercising that supervision it should not exceed the authority of the League of Nations. The unanimity voting principle had applied in the Council of the League—in other words, the agreement of the administering power was required before any decision could be made. In the U.N. Assembly, on the other hand, a two-thirds majority of votes was necessary in matters of importance. The committee thus suggested that if South Africa's concurrence with the proposed new formula was not forthcoming, the advice of the International Court should be sought on the powers that U.N. could unilaterally use in dealing with South-West Africa.

Through a technical mishap, a resolution dealing with decisions on U.N.'s authority in dealing with matters arising out of petitions from the territory was tied up with the proposed approach to the International Court. This resolution failed by one vote to gain a two-thirds majority, whereupon the President of the General Assembly pointed out that this meant the reference to the Court had fallen away.

During the debate by the Trusteeship Committee, South Africa submitted a detailed reply to criticisms made in the report by the secretariat on conditions in the territory. A substantial and influential group of countries opposed the continuation of the debate until this reply had been studied. There was much difference of opinion, and meanwhile the special U.N. committee commenced to disintegrate: Thailand and Norway resigned, the representatives from Brazil, Mexico, Syria, and Pakistan said they would have to reserve their position as to future participation, and only one member was left, representing Uruguay. The United States refused an invitation to appoint a representative pending settlement of the procedural question.

A sub-committee then appointed to review the situation recommended that the question of an approach to the International Court of Justice be reopened. This recommendation was subsequently adopted by the General Assembly which, by 25 votes to 11 with 21 abstentions, resolved to seek the Court's advice on voting procedure. South Africa refused an invitation extended by the Court to all U.N. members to submit views on the matter, maintaining that it had never accepted the Court's earlier ruling that the supervisory powers of the League of Nations in respect of South-West Africa had been transferred to United Nations. During June 1955, the International Court ruled unanimously that in

dealing with the affairs of South-West Africa, including matters arising from reports and petitions, the General Assembly's two-thirds majority voting procedure could be applied. South Africa thus lost any right of veto.

Meanwhile, the U.N. special committee had been reconstituted, with representatives from Thailand, Mexico, Syria, Pakistan, Uruguay, the United States, and Brazil. Its chairman is Mr Thanat Khoman, of Thailand. It has drawn up a further report declaring that racial discrimination is prevalent throughout South-West Africa.

#### **United Nations' consideration of the treatment of persons of Indian origin in South Africa**

It will be recalled that the Good Offices Commission set up by the United Nations to try to arrange and to assist in negotiations between the Union, India, and Pakistan reported to the General Assembly in 1954 that its efforts had failed because South Africa refused to co-operate on the ground that the United Nations had no jurisdiction in the matter. The General Assembly on several occasions has called on the Union Government to suspend implementation of the Group Areas Act pending conclusion of negotiations.

At its ninth session, the Assembly adopted a resolution sponsored by certain Latin-American countries calling on the three governments concerned to seek a solution to the dispute by direct negotiations, requesting them jointly to appoint a mediator to facilitate contacts between them, and stipulating that if agreement on this appointment had not been reached within six months, a mediator should be appointed by the Secretary-General of the United Nations.

Shortly thereafter, the Union Government sent telegrams to the Governments of India and Pakistan stating that it was prepared, without prejudice to the juridical position it had consistently maintained on the subject of domestic jurisdiction, to have discussions with them with a view to seeking a solution which would be acceptable to the Union. In a preliminary reply the Indian Government restated its view that the matter was within the competence of the United Nations. While the proposed discussions were still under consideration, however, the Prime Minister of India made two speeches attacking policies of 'racial persecution' in South Africa. These were highly resented by the Union Government, which stated that it considered this action to amount to a rejection of the proposals: it was, therefore, abandoning any further attempts to convene a round-table conference. The Indian Government contended that because the Union had not halted repressive measures pending the talks, as requested by the General Assembly, its Prime Minister had been justified in attacking these measures.

During June 1955, the Secretary-General of United Nations wrote to the three governments concerned stating that as no

mediator had been appointed by them, he had designated Senhor Luis de Faro, of Brazil, as the special assistant of United Nations to facilitate negotiations. India and Pakistan promised to extend their full co-operation to him, but the Union's Minister of External Affairs replied that South Africa declined to prejudice its juridical position by collaborating with the 'distinguished gentleman' as suggested. So far as the Union Government was concerned, he continued, the question of treatment of persons of Indian origin in South Africa had to be regarded as closed. Senhor de Faro then wrote to the Secretary-General to say that in view of the Union's attitude there was apparently nothing further he could do to facilitate negotiations.

At the commencement of its tenth session, the General Assembly decided again to include this item on its agenda.

#### **The Union's withdrawal from UNESCO**

In the Assembly on 5 April and 5 May 1955<sup>(5)</sup>, the Minister of External Affairs said that the Union Government considered the activities of the U.N. Educational, Scientific and Cultural Organization to have been futile, and had noted the general criticism expressed during the session of this body at Montevideo in 1954. Furthermore, the Government resented interference in South Africa's racial problems by means of UNESCO publications. He read certain passages from three of these publications, averring that these amounted to an attack on the apartheid policy and the incitement of Non-Whites against Whites. The contribution by the Union to UNESCO varied according to a fixed formula, he said, - in 1954 it was £30,073 and during 1955 it would be approximately £26,272. South Africa was, in effect, contributing money in order to be criticized.

The Union's Ambassador in Paris had protested against the issue of these pamphlets in an interview with the Director-General of UNESCO in 1951. Since then they had been reprinted. The UNESCO conference in 1954, passed a motion authorizing the Director-General, in carrying out the programme decided upon, to give special attention to measures calculated to eliminate racial discrimination and to eradicate racial prejudice. In view of these facts, and of the futility of the organization, the Union Government had decided to withdraw from UNESCO, the Minister said. He would recommend to the Cabinet that the money thus saved be used for the dissemination of information abroad by the State Information Office.

The Minister of External Affairs in his first statement, and later the Prime Minister in a speech made in the Assembly<sup>(6)</sup>, indicated that the Institute of Race Relations was mainly responsible for the distribution of UNESCO pamphlets in South Africa. In the

<sup>(5)</sup> Hansard 10, cols. 3904-5; Hansard 13, cols. 5073-82.

<sup>(6)</sup> 18 April 1955; Hansard 11, col. 4019.



second speech quoted above the Minister of External Affairs acknowledged that the publications had been widely distributed and advertised in South Africa, even in small local papers. The Institute's President dealt with this matter in a monthly letter to members published in *Race Relations News*. She expressed regret at the Union's decision to withdraw from UNESCO, pointed out that a commercial firm in Pretoria was the agent for the distribution of UNESCO publications, and said that the Institute would continue to offer these for sale, thereby making a small contribution to bringing about the one world which must be wrought for mankind's survival.

#### Conference on industrialization and urban conditions in Africa south of the Sahara

Towards the end of 1954, Dr Ellen Hellmann, President of the Institute of Race Relations, attended a conference called by the Social Science Department of UNESCO at Abidjan, capital of the Côte d' Ivoire, on the social aspect of industrialization and urban conditions in Africa south of the Sahara. She took the opportunity of spending two weeks in the Gold Coast. Her impressions were published in the November issue of *Race Relations News*.

It became clear during the conference, she said, that in all urban African communities the traditional kinship structure and tribal bonds were being weakened, while new associations based on economic, religious, educational, or other interests were emerging. The process was most marked where industrialization was furthest advanced. Common to all territories, except South Africa and the Gold Coast, was a very considerable lag in the educational and economic advance of African women. Whatever the subject under discussion, the need for long-term inter-disciplinary research was clear. The conference fulfilled its purpose—of promoting comparative study by an exchange of views on research methods and findings.

#### Afro-Asian conference at Bandung

During April 1955, a conference of representatives of 29 independent African and Asian nations, sponsored by Ceylon, India, Pakistan, Burma, and Indonesia, was held at Bandung in Indonesia. Neither Israel nor the Union of South Africa was invited; Communist China, but not Nationalist China, was represented.

While acknowledging that the form of, and way of life of any participating country could in no way be subject to interference by another country, the conference reaffirmed the determination of Asian and African people to eradicate racialism, and deplored policies and practices of racial segregation and discrimination. Sympathy and support were expressed for 'the courageous stand taken by victims of racial discrimination in South Africa.' The conference called upon colonial powers to grant freedom and independence to all peoples. It viewed with deep concern the state of international tension and the danger of an atomic world war.

### ANNEXURE I

#### RECENT PUBLICATIONS OF THE S.A. INSTITUTE OF RACE RELATIONS

##### GENERAL

- The Cost of Living for Africans*, by Olive Gibson.  
*Die Atergrond van Rassespanning in Suid-Afrika*, by Quintin Whyte.  
*Racial Laws versus Economic and Social Forces*, by Dr Ellen Hellmann (Presidential Address, 1955).  
*Education and Race Relations in South Africa*, by Dr T. B. Davie (1955 Hoernlé Memorial Lecture).  
*A Survey of Race Relations in South Africa, 1953-4*, compiled by Muriel Horrell.  
*South Africa's Changing Economy*, by L. Samuels, Professor D. Hobart Houghton, and Professor F. C. van N. Fourie.  
*Voorwaarts in die Geloof*, by Quintin Whyte (A translation of '... Go Forward in Faith: The Logic of Economic Integration.')
- Swaziland — A General Survey*.  
*25th Annual Report of the S.A. Institute of Race Relations*  
*Race Relations News* (monthly)  
*Race Relations Journal* (quarterly)  
 No. 4 of 1954  
*Living Conditions in a Squatters' Camp*, by M. Lipschitz and N. M. Greshoff.  
 No. 1 of 1955  
*Law, Race Relations and Social Change in the United States*, by Charles R. Nixon.  
*The Conflict of Culture in Africa*, by Peter Abrahams.  
 Two contributions by L. Rao and O. P. Somniso.  
 No. 2 of 1955  
*Comments on Some Aspects of Government Policy*, by L. Rao.  
*The American Negro and Desegregation in American Schools*, by Edmund de S. Brunner.  
*Indian Adjustments to Urbanization*, by S. Cooppan and B. A. Naidoo.  
*The Experimental Rural Community Centre at Ncora*, by S. Lochwert Zici.  
*Urban Areas Legislation*, by D. B. Molteno, Q.C.,  
 No. 3 of 1955.  
*Fears and Pressures in the Union of South Africa*, by Cornelis W. de Kiewiet.  
*Mind, Manners and Morals*, by S. Biesheuvel.

##### AFRIKAANS — ENGLISH RELATIONS

- Thought* (quarterly)  
*Perspektief* (quarterly)

##### ADULT EDUCATION SECTION

- English for Indian Women* — Books III and IV.  
*Uvukufunde* — the third edition of a literacy course in Zulu.  
*Monailo oa Thuto* — the second edition of a literacy course in Sotho.  
*Sekhukhuni se bona ke Sebatalali* — a story in Sotho.  
*Khirimpana* (under the imprint of Morija Sesuto Book Depot) — written in 'deep Sotho' in lyrical prose form.  
*Ezempilo* (under the imprint of Shuter and Shooter) — the Zulu version of 'A Guide to Health for Adults.'  
*Impilo Ntle* (under the imprint of Lovedale Press) — the Xhosa version of 'A Guide to Health for Adults.'  
*Khotso* (Sotho) — A first course for Europeans.  
*SakuGona* (Zulu) — A first course for Europeans.  
*Molo* (Xhosa) — A first course for Europeans.