

NATIVE VIEWS
ON THE
NATIVE BILLS

BY

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AND OTHERS

(PAMPHLET TWO)

PRICE 1/-

INTRODUCTION.

The first number of this series of pamphlets appeared last August, giving individual views on the Native views. The present volume contains the considered opinions of five regional conferences conducted last month by Government officials in Maritzburg (for Zululand and Natal), Pretoria (for the Orange Free State and the Transvaal), Mafeking (for Bechuanaland and the North-West districts) King William's Town (for the Cape Province districts known as the Ciskei), and Umtata (for the Transkei Territories up to the Natal border).

The Bantu peoples concerned in these conferences have exhibited such an astonishing unanimity of feeling, that the Government will know exactly what to do if they give due consideration to what has been expressed so clearly, moderately and respectfully. We have supplemented these views with an address given at Johannesburg during the Michaelmas vacation in answer to a speech defending the Segregation policy underlying these Bills. This possibly supplies new information. The combined Bantu of the whole Union are due to hold their own conference in December next at Bloemfontein, and we hope that the third and last number of this series will be composed of the decisions that will then be registered; and that the publication will be ready by January, 1936, in time to be available before Parliament meets.

Perhaps there are many citizens of South Africa and abroad who are unaware that the primary object of these draft Native Bills is nothing but the abolition of the Cape

Native vote. That is a fact well understood by any close student of the inner counsels of our local politics. This bitter pill, for the Natives, was originally sugar-coated with the attractive subsidiary Bills touching land and a Union Council. But the Land and the Union Council Bills can, and should be, proceeded with as soon as the Africans have had these Bills translated into their own languages and the next census figures published. It is only fair and right that the Bantu be afforded a square chance to get a proper understanding of what they are asked to approve; and to get that knowledge, the draft measures must be done in their tongues. The printing of Zulu, Sotho, Xhosa and Chwana versions can be achieved at a cost below £200, a very small thing when compared with the total of £200,000 spent every year by the Government in printing Blue Books never seen by the Bantu. Fortunately the franchise question need not stand in the way of the necessary reforms in land matters or in the establishment of a Council; for there is no need for any bargaining to purchase long overdue justice with the surrender of the vote belonging to one small group.

The discussions in this book abundantly prove that the Native franchise is far from being the bugbear it has been made out to be by political propagandists. A mere handful of 10,777 Black voters cannot in any sense be a danger to the huge masses of 886,592 White voters. The suggestion is unreasonable and almost amusing. In 1913, Parliament admitted that the land areas earmarked for Natives (12% of the entire Union) were too small; and promised to provide more land by means of subsequent legislation. For twenty-two years this land has not been forthcoming. The present Bill, instead of implementing

that old-standing undertaking, is, in the words of one observer, "only a promise to redeem another promise made long ago," and a promise that cannot be contingent upon any change in the possession of the franchise ; for in 1913 there was no mention nor talk about the Native vote, the latter being a subject first introduced on election platforms in 1925 purely as an electioneering war-cry.

We hope this publication will secure wide circulation for the information of those who do not know what the Black population is thinking about the draft Native Bills.

D. D. T. JABAVU,
President, Cape Native Voters' Convention.

Alice, C.P.
October, 1935.

CONFERENCE (1)

AT MARITZBURG, 4th SEPTEMBER, 1935.

Reuter's report runs thus :—

Natal and Zululand Natives do not want European Senatorial representation in Parliament, as proposed in the Draft Native Bills. They prefer to make their representations themselves direct to the Government.

This was the main point that emerged from the conference of delegates representing 1,500,000 Natives, summoned by the Government to discuss the Native Bills. The conference, which was the first of its kind in the Union, closed this morning and presented an address strongly opposing the scheme for European Senators, expressing appreciation of the proposed legislative Native representative council and additional reserves, and suggesting that a conference such as the one just held should become a yearly event to inform the Government of Native feeling.

"This gathering is unanimous," said Mshiyeni ka Dinizulu, the Zulu Regent, "that it is not the desire of our people to have a European representative in Parliament. They are satisfied that much better results will be achieved by laying before you our representations, as on this occasion without a European intermediary."

(Note : This conference strongly opposed the proposal to have the Bantu represented by European Senators, instead of the *status quo*.)

CONFERENCE (2)

AT PRETORIA, 6th SEPTEMBER, 1935.

Pretoria, Saturday, 7th September. (Reuter). The conference of chiefs and leaders of the Native peoples of the Transvaal and Orange Free State, which has been in session at Pretoria on the two Native Bills of the Prime Minister, has declined to express any definite opinion on the Bills. The conference adopted a policy of caution and passed a resolution asking for more time to consider the Bills and consult their people.

The conference, which was convened by the Government to hear the views of the Natives on the Bills, was opened yesterday morning by the Acting Minister of Native Affairs (Mr. R. Stuttaford). The morning and early afternoon were taken up by explanations of the Bills by members of the Native Affairs Commission. The conference then went into committee and discussed the Bills.

Late yesterday afternoon and yesterday evening a committee was appointed and deliberated further. This morning at noon the committee presented the following resolution:—

“As the chiefs and delegates to this conference were only given two weeks notice of the conference and were not supplied with copies of the Bills in advance, and as the policy underlying the Bills is one of political, territorial and economic segregation, and it is the intention of the Government to further amend the Natives Urban Areas Act to complete its general policy, and in view of the importance and gravity of the situation and the very limited time at the disposal of the conference, and the fact that this policy

affects posterity, this conference is unable at the moment to give a matured and considered decision on the fundamental principles and details involved for the following reasons :

Five Reasons.

" (a) The chiefs and delegates were not conversant with the principles involved.

" (b) They had not time to obtain the mandate of the people they represented.

" (c) The Bills are not available in the vernacular and are, therefore, beyond the comprehension of the majority of the chiefs and delegates.

" (d) The chiefs and delegates are not at the moment in a position to visualise or locate the proposed released areas, nor do they know to what extent the released areas are occupied or owned by missionaries, Africans, or private bodies.

" (e) It is the intention of the Government to take a Native census next year and in the opinion of this conference the Native Bills should be held over until the Native population in the scheduled and released areas, and on private farms, has been ascertained through the census.

Requests.

This conference therefore respectfully asks the Government :—

" (1) To translate the Bills into the various Native languages ;

" (2) To appoint a mixed commission to investigate the scheduled and released areas with a view to assuring the chiefs and the public as to what areas are really and actually granted to them under the Native Trust and Land Bill ;

"(3) To convene a Union conference of African chiefs and leaders during the next year to consider the whole policy of the Bills."

"Let us not rush."

Three members of the conference who drafted the resolution—Chiefs Sekukuni and Manope, of the Transvaal, and Chief Charles Mopedi, of the Free State—spoke in support of the resolution and explained how they had reached the conclusions contained in the resolution.

"Let us not rush this thing or we will make serious mistakes," said Chief Mopedi.

Other delegates expressed themselves in complete agreement with the attitude of the committee. One of them made an appeal for the incorporation in the Government's general Native policy of a progressive education policy.

The resolution was passed unanimously.

Useful Purpose.

In closing the conference Mr. D. L. Smit (Secretary for Native Affairs) said the conference had served a very useful purpose and he thought there should be similar meetings every year to consider matters concerning the welfare of the Native people. The requests contained in their resolution would be conveyed to the Government and he would use his personal influence in support of them. The resolution would receive careful consideration and they would be informed later of the Government's decision. He could quite understand that they had some difficulty in following the Bills and it was just as well that they should first discuss them with their people.

CONFERENCE (3)

AT MAFEKING, 13th SEPTEMBER, 1935.

Kimberley, Tuesday, 17th September (Reuter).—The third of a series of conferences of Native chiefs, headmen and representatives of the Natives convened by the Government to ascertain the sentiments of the Natives on the Native Bills drafted by the Joint Select Committee of the Union Parliament has been held at Mafeking.

The conference, which was fully representative of the Native population of British Bechuanaland and Griqualand West (delegates coming from as far afield as Douglas, Griquatown, Postmasburg and Kuruman) was presided over by the Secretary for Native Affairs (Mr. D. L. Smit) supported by two members of the Native Affairs Commission, Senator le Roux van Niekerk and Mr. J. Pen Wessels, M.P.

Paramount Chief L. Montshioa, who was seconded by Dr. S. M. Molema, submitted a resolution expressing appreciation of the desire of the Government to explore avenues for a satisfactory solution of the problem, but stating that it was felt that the Natives should be given further time to study the Bills. For this reason it asked that the Bills be translated into the various Bantu languages and circulated.

The following observations, representing the consensus of opinion in the conference, were made:—

(a) In the first place the conference welcomes the Native Trust and Land Bill as a step in the right direction designed to meet a long-felt want. The conference respectfully urges that a census of the Native population

of the Union shall be taken so as to enable the Select Committee and the Government to proceed on intelligent lines in efforts to find land for demarcation as additional areas in various parts of the Union.

(b) The conference respectfully requests the Government to consider the expediency of providing far more morganage of land to existing Native areas than is suggested in the Bill.

The Franchise.

The following resolutions were passed on the Native Representative Council :

(1) The conference welcomes the proposal for the establishment of a Native Representative Council as suggested in Part 3, Section 13 (1) of the Representation of Natives Bill, provided, however, that the establishment of this body is not intended to disturb Native franchise rights.

(2) The conference would suggest that the personnel of the proposed Council should consist of 50 members so that the Native people may have more adequate and satisfactory representation in the Council.

(3) The conference further considers that the Government should reconsider the matter of incidence of allowance to members so as to raise it, say, to £200.

(4) The conference is emphatic and uncompromising in its opposition to the proposals contained in the Representation of Natives Bill which would have the effect of abolishing the franchise rights conferred some years ago upon African people of the Cape Province in common with other citizens of the province.

(5) The conference respectfully points out that the proposal to deprive a section of the population of citizen

rights is indefensible from every ethical point of view, besides being as uncharitable as it is unjustifiable.

(6) The conference considers that instead of the abolition of the existing Cape Native vote, the time has come when full citizen rights shall be extended to the African people of the other provinces of the Union.

(7) Further, in the humble opinion of the conference, the Government should consider the advisability of making provision for direct representation of Native interests in the provincial councils of the other provinces of the Union.

(8) In conclusion, the conference considers that the principle of segregation, political and economic, of the race of people domiciled in one and the same land and living under one and the same Government and one and the same flag is calculated to produce in the course of time results that would be detrimental to the peaceful relations subsisting between the White and Black races of the land.

CONFERENCE (4)

AT KING WILLIAM'S TOWN, 18th
SEPTEMBER, 1935.

King William's Town, Thursday, 19th September, (Reuter).—The Native Affairs Commission conference with Cape Province Natives on the Native Bills terminated when the delegates, who represent the whole Cape Province proper, passed the following resolutions, which were moved by the Paramount Chief of the Ciskei, Velile Sandile, seconded by R. H. Godlo and J. M. Dippa :

" This conference welcomes the gesture of the Government in consulting Bantu opinion on the proposed legisla-

tion, and reaffirms its loyalty to the Government. On the principle placed before this conference by the Native Affairs Commission of the abolition of the Cape Native Franchise, the unanimous opinion of the conference is the unequivocal rejection of the proposal to take away the existing right to the vote. In the words of the Duke of Newcastle in 1853, 'It is the earnest desire of Her Majesty's Government that all her subjects at the Cape, without distinction of class or colour, should be united by one bond of loyalty and a common interest.' We cannot, for any consideration whatever, depart from that principle, and we see no reason for the necessity for its repeal nor making any bargain therewith. We earnestly hope the Government will refrain from its intention to remove the existing right to the franchise on the part of future descendants of the possessors of this franchise. We humbly beseech the authorities to proceed with their long overdue programme of raising the political and economic standard of the Bantu throughout the Union without stipulating that the abolition of this franchise is a *quid pro quo* therefor.

"CLEARLY IN ERROR."

In answering some of the arguments advanced against our franchise, we humbly submit that

(a) Those who, in 1926, alleged that this vote was a menace to the security of the White race by reason of its likelihood to swamp White voters when it was 16,000 to 185,000 White voters, while now it has dwindled to 11,000 to 400,000, are clearly in error, because the machinery regulating voting qualifications rests at all times with Parliament.

(b) It is argued now that it is being abolished be-

cause it is ineffective. We feel no need for commiseration as we are perfectly contented with it as it is.

(c) It is alleged that it engenders disrespect for Whites. This is not borne out by experience. On the contrary, loyalty to the Whites in the Cape is unsurpassed.

(d) We are told it causes irritation. Local evidence in this regard is conspicuously to the opposite.

(e) It is being abolished in order to attain uniformity. Our reply is that even in the Act of Union there are concessions to each province to retain its pre-Union traditions.

(f) We are accused of being swayed by false promises of candidates. This weakness, which is sometimes found among all electors, need not be exclusively stressed as against us.

"Not Useless."

In reply to the statement that our vote is useless, we wish to point out—

(1) That in the first instance it caused the first advance by the Whites to the Blacks, and this contact, unattained elsewhere in South Africa, produced masses of friendly Europeans acquainted with our interests by reason of this contact and common bond.

(2) It has given us an effective right and power to secure protection against much unjust projected legislation.

(3) It is directly responsible for the framing of the Native Affairs Act of 1920 with its Native conference, local councils and commission.

(4) It is the influence of this vote that secured the earmarking of one-fifth of the poll tax for direct allocation to Native development.

(5) It has saved the Cape from the Lands Act and its harsh operation so luridly depicted in Sol. T. Plaatje's book, *Native Life in South Africa*.

(6) It killed the 1917 Native Administration Bill and thus saved all the Bantu of South Africa from a second ill-digested Lands Act.

(7) It has hung up the present Native Bills since 1926, thus keeping the door open for a future genuine franchise for the Northern Bantu.

(8) It successfully prevented the Maori system of separate representation in the Cape election of 1904 from being applied in this country with its inferior franchise based on colour discrimination.

(Note: Under the Maori system of separate Representation from which this Bill purports to be copied, the New Zealand constitution provides for a Maori native member in its Cabinet; but the South African government's proposal makes no such provision).

(9) It saved many Native farms situated in so-called neutral areas.

(10) It has kept out the pass laws when it was sought to have them introduced in 1887.

(11) It has effectively protected its possessors from the pin-pricks of the Curfew Bell Laws.

(12) It has saved us from evictions from towns and enabled us to own property therein.

(13) It has been a standing legal recognition of the fact that the citizens of one and the same country have their economic interests intertwined though they are racially and socially separate.

(14) It is a true reflex of Bantu tradition in that every man has a voice in his court (*kgotla, inkundla*), where children and females are barred.

(15) Its qualifications of property, education and money have induced us to rise in our level of civilisation generally.

(16) We have always regarded it as an honourable "gentlemen's agreement," and when we have said "thank you" for a gift we never expect the giver to return and take back what he has freely given, according to Bantu tradition.

(17) It secured and guaranteed White leadership and supremacy in that we have always been contented to follow the advice of Europeans in our exercise of the franchise and never abused it, and have never been a danger to the Whites. On the contrary, we have embellished the House of Parliament with illustrious personages like Sir James Rose-Innes, W. P. Schreiner, Merriman, Sauer, Saul Solomon, Frost, Sir Charles Crewe, Garret, Sir Bisset Berry, Fuller and Molteno.

(18) It gave us higher education and generous grants for education where those without the vote had to rely entirely on the mercy of charity and accidental benefactors.

(19) It has given us representation for our taxation exactly where our money goes.

(20) Behind this vote lie the principles of freedom, education, full-blooded citizenship, Christian benignity, and a vast loyalty to those in power, confidence in government, elimination of rebellion (for the last Xosa war was in 1853, the bestowal of the franchise in 1854 effectively abolishing all war between us and Whites), and a liberality that gave the Union Act to South Africa with its concomit-

ants of peace and goodwill, and a definite *tertium quid* between segregation and assimilation.

(21) It forms a constitutional exemption certificate from customary law for those brought up outside of tribal law, giving a qualification that is not subject to the caprice of officials.

(22) Its conditions of a money or property qualification render it superior to manhood or womanhood suffrage because it vests power only on citizens with something to lose, a responsibility of value.

(23) The biggest danger to South Africa as a whole is not the political freedom of the Africans, but the creation to-day of a disgruntled ex-voter population in future generations, better educated than their present fathers. They will feel more grieved than we who in all conscience feel sore consternation at the gloomy prospect.

(24) The removal of this vote will resuscitate bitter feelings against the White race as a whole and compel us to identify ourselves with all anti-White propaganda, especially that already generated in all Africa by the Italo-Ethiopian conflict, this probably being the thin end of the wedge that alarmed South African White voters in the 1929 Kafir Manifesto prognostications.

(25) The abolition of our franchise will be a signal for the political declassing or degrading of the Bantu race as a whole into a sort of semi-slave or helot group of the South African population. From every conceivable point of view, this is not a step forward, but a step backward towards primitive stagnation.

Prayer for Postponement.

With reference to Native Representative Council of the Union and the Land and Trust measures, we humbly

pray that these be postponed for at least a year pending the supply of translated copies in all the vernacular tongues and the taking of the census in order that these be submitted to a Union conference under the Native Affairs Act, and that next year this conference include members returned by popular election.

We regret to be informed that the vacancy caused by the resignation of Dr. A. W. Roberts from the commission has not been filled by a member from the Cape Province.

CONFERENCE (5)

AT UMTATA, 23rd SEPTEMBER, 1935.

This is reported by a press correspondent thus :—

One of the most representative meetings of Natives attended the conference held by the Native Affairs Commission to discuss the proposed Native Bills. The conference lasted for three days, and at the close Rev. J. S. Mazwi, in a telling speech, emphasised that the Natives had reached their present state of development with the help of the Europeans. They had received the right of the franchise as part of their education, and if the Government took away their vote, the vote which they had been told was of great value, they would accept it in a most painful manner and would feel they had lost almost everything.

Mr. Mazwi handed over to the Commission the following memorandum, which was unanimously accepted by the meeting :—

“ This conference of chiefs, headmen and representatives of all classes and interests of African peoples in the

Transkeian territories places on record its appreciation of the Government's gesture in consulting them on these Bills and wishes to make the following observations :—

"The main and foremost questions it is called upon to consider are (a) The proposed alteration in the existing Cape Native franchise, and (b) the acquisition of additional land.

(1) The most dispassionate consideration of these Bills leads us to the conclusion that the European races of the Union have, by arriving at the principles embodied in them, surrendered to the dictates of race prejudice.

(2) The assertion that the Native franchise is ineffective is not in accordance with fact ; while those who hold the right to exercise that privilege have not complained, it then hardly seems to this conference a just and convincing reason for taking it away.

(3) "The fact that hitherto the Natives of the other Provinces have been debarred from that full citizenship enjoyed by the Native voters of the Cape Province appears to this conference an astonishing, illogical and unjust reason for taking away the franchise rights of the latter.

(4) "The only justification or reason advanced for the refusal to extend the franchise to the Natives of the other Provinces is that it is undesirable for Europeans and Natives to vote together in the same ballot box and for the same candidate.

(5) "No evidence in proof of the African race being unworthy of the franchise has been adduced, nor has any reasonable cause or justification warranting the proposal to abolish the Cape Native franchise been advanced.

Granting of Franchise.

(6) " Over eighty years ago, not at the instigation of the Native people but through the initiative of the Imperial Government and with the approval of the European electorate of the Cape Colony, the franchise was granted to the Cape Natives as part of the settlement of the Native question. It would, therefore, be putting the clock of progress back to 1852 if the franchise were taken away.

(7) " The argument that the proposal with reference to the franchise is dictated by a desire to do justice to the voteless Natives in the other three Provinces appears to this conference to be an injustice in that it deprives coming generations of their prospective political rights.

(8) " If the franchise is unjustly taken away it will leave a festering sore that will undoubtedly undermine our respect for the European people and make us feel that our loyalty and hard work hold no hope of reward. It will inevitably engender those very feelings of irritation it is sought to avoid.

(9) It is felt by this conference that any readjustment of the franchise rights, to be permanent and peaceful in this country must be on agreement between Europeans and Natives.

(10) " For these reasons this conference is opposed to the proposal to alter the existing Cape Native franchise rights.

(11) " This conference welcomes the proposal for the establishment of a Native Representative Council as suggested in the Bill, provided, however, that the establishment of this body shall in no way interfere with the Native franchise rights.

(12) " This conference would suggest that the personnel of the proposed council should consist of fifty members, in order to provide more adequate and satisfactory representation for the Native people.

(13) We desire to point out, however, that the proposed method of electing representatives for the Union Native Council through and by electoral colleges only, on which educated Natives such as professional men, ministers, teachers and clerks are not represented, will virtually prevent the representation of these classes on the Union Native Council.

Additional Land.

(14) " This conference further appreciates the Government's proposal to fulfil the promise of allocating additional land for Native occupation as proposed in the Land Bill. A promise was made to the Natives at the passing of the 1913 Act, and therefore is long overdue. Such proposed additional land, however, this conference submits, is still inadequate and could be augmented by the releasing of more morgengage in these territories.

(15) " Lastly, this conference humbly requests the Government to postpone the consideration of these Bills by Parliament for at least one year at the end of which time the Government is requested to convene at Umtata a conference similar to this one.

" In the interim the Government is requested to supply copies of the Bills in the vernacular for proper and full consideration by the Natives in order to formulate their joint decisions on them after consulting the people concerned, and that the resolutions passed at the various conferences be published in pamphlet form and distributed to the delegates to the conferences."

After the resolutions had been read the first speech on them was delivered by the Rev. Jonathan S. Mazwi of Ndabakazi, a man of over seventy years of age, a popular veteran easily equal to the most eloquent member of the Bantu race in the Union. His authority has frequently been recognised by his being elected as head of several important organisations in the Cape Province, and he is at present the President of the Transkei Convention of Native Chiefs. In his personality he has a patriarchal deportment reminiscent of a past era and recalling the gravity of the late John Tengo Jabavu. "There was an unchanging grave dignity about him, which appeared in his speech and demeanour as well as in his writing and clothed him as a garment"—these words, said of Tengo Jabavu, fittingly apply to the character of Mazwi, his personal friend and companion. Upon all listeners who understood the Xosa tongue (for the English translation is but a faint echo of the ponderous effect of the original) the impression made by Mazwi's address was that of a pathetic appeal by a son to his father, that of a touching adjuration by one of the most representative intelligent Native voters alive to a Government that must be stone deaf if it remains unmoved. Whatever be the final destiny of this individual franchise right, it will go down to history that the Native voters have not fought with a dismal defeatism but have marshalled an irresistible case and conducted themselves with extreme respect and dignity.

The proceedings were marked by a very high standard of speaking, and by the evident sincerity and deep feeling of the speakers.—

The Rev. J. S. Mazwi.

The Rev. Mr. Mazwi said he had been asked to formally

hand over the resolution to be submitted to the Government. These were the points they would like to be put before the Government. What they had handed over was to them a very important and delicate matter. They, on their part had been sent by the Government, and he wanted to say that he was expressing the thanks of the conference, as had already been stated in the resolution, and they thanked the Government for its gesture it had offered in the proposals put before them. They had been consulted as an act of sympathy. They thanked the Native Affairs Commission with all their hearts for the way they had explained the proposals put before them. They had explained these matters very lucidly and had left nothing unexplained.

As one of the speakers (Senator Van Niekerk) stated that the Native people preferred plain speaking—that nothing should be left in the heart he would speak openly. The Native Affairs Commission had acted in that manner. It was painful for them to hand in the resolution in the way in which it was worded. It had fallen to their lot to have to do so. The gathering was mainly of chiefs and they interpreted the needs of the people of the Cape Province and really represented the Natives in that Province.

These chiefs and the Native people had been under the protection of the Government for over 100 years—their fathers and their ancestors—and the Commission could see that they were enlightened people, and their history shows beyond doubt that they had been loyal people all their lives. They were a people who had been consolidated and uplifted by the Europeans whom they looked

upon as parents and this they did without dishonesty and deceit.

The Native people were proud of the development they had reached which had been reached slowly and through the Europeans. They had achieved this through the gospel and through education and also by the example set them and by the liberality of the Government. They had received the right of the franchise as a part of their education, because of their enlightenment. All these things were ingrained in the lives of the people, and it was extremely regrettable to them, that at this time of the manhood of their people, and after the way the Europeans had brought them up, the method should be fundamentally changed, and a new basis instituted. Even the policy of segregation had never been accepted by them. They had become used to this living together as they felt they could not do without the Europeans. They had been their guides and uplifted them in every manner. This segregation policy of saying "You go that way and we will go this" they had received because they were subjects but had done so with painful hearts.

In regard to the franchise right, they had been told it was the only way they could be together. Some European races had fought for that right. The Europeans had taught them it was a very personal and sacred right. The Europeans had gone so far as to teach them the benefits of the franchise and that no person can be taxed without being represented in Parliament. They took it that the only department of Parliament that was able to make laws and tax the people was the House of Assembly and they knew that the only person who can be represented in this House is the registered voter. "If to-day you tell us to

surrender our vote—the vote you have told us is of great value, we shall accept it in a most painful manner and shall feel we have lost almost everything.”

Mr. Mazwi said he was placing these facts before the Commission as from a loyal people. Their intention was not to argue with the Government or enter into a controversy with Government officials. They did not want to be up against the laws the Government was making for them. The only painful thing in their discussion was that they were called upon to surrender what they felt it was beyond their power to do—to surrender their right of citizenship.

In the circumstances they prayed the Native Affairs Commission would submit their views to the Government. Mr. Mazwi's speech was received with loud applause.

In receiving the resolution, which was passed by the unanimous vote of the assembly, Mr. Smit said it would be submitted to the Government for consideration, and that Mr. Mazwi's speech was, he thought, the best exposition of the Native point of view he had heard from that part of the country.

NOTABLE NAMES.

It is computed that about a thousand Bantu representatives were invited to attend the five conferences. In Natal there were chiefs from the whole province, including the paramount Chief Mshiyeni and the Rev. J. L. Dube. In Pretoria the Orange Free State was represented by Chief Charles Ntsane Mopeli who passed his Matriculation at Fort Hare about twenty years ago; Z. Fenyang; Dr. J. S. Moroka, M.B., Ch.B.; H. B. Nyati; T. M. Mapikela and the Transvaal by Chief Frank Mogale, J. R. Rathebe,

Dr. P. K. I. Seme, H. B. Piliso, Dr. A. B. Xuma, M.D., R. V. Selope Thema, S. G. Senoane, A. S. Vil Nkomo, H. D. Hlabangana, P. S. Mablangu, P. Bell, Robert Tladi, I. Masole, Chief Senthumulo Ramabulana, Isiah Bud Mbelle, S. P. Matseke, Chief Paduli Mphahlele, Chief Sekhukhuni, these being a selection out of about 180 delegates. In Mafeking there were Chief Montshioa, Rev. Z. R. Mahabane, Dr. Silss Modiri Molema, M.B., Ch.B.; at King William's Town the Cape Native Voters' Convention was represented by D. D. T. Jabavu (President), H. Mangcu (Vice-President), C. A. W. Sigila (General Secretary), R. H. Godlo (Recording Secretary), Alexander M. Jabavu (Treasurer), J. A. Sishuba, B. B. Xiniwe, Rev. Solomon J. Mvambo, Rev. J. Jorha, S. Sonjica, S. J. Peteni, P. M. Ngesi, R. F. Haya, E. Marambana, Rev. John Masiza, J. Runeli, F. A. Pendla, F. H. M. Zwide, B. Nyati, Rev. J. Likhing, R. Mdingi, R. T. Mona, D. Lukashe, Rev. A. Ntlemeza, while other organisations were represented by Paramount Chief Archie Velile Sandile and Chiefs N. Kama, N. Mhlambiso, A. Ngwabeni, Rev. L. Mzimba, Rev. P. S. Mbete, M. J. L. Ntombela, D. Tsegare, W. P. Mama A. Mejane, S. P. Akena, S. Xhalli, A Mbolekwa C. Xabanisa, H. Nsonkota, R. Time, J. Mzazi, H. D. Tyamzashe, C. Ngcelwane, Chief Valelo Mhlontlo, E. Mahonga, P. Mzazi, A. W. Ranana, A. C. Moyake, J. Sikiti, P. Manxeba, J. S. Mphuthing, Rev. E. A. Jingiso, Rev. V. Kwatsha, Chief G. Siwani, Chief Toise, Chief S. Makinana, S. E. R. Mqayi, A. Maci, J. Magobiyane, Chief J. Matemela, J. M. Dipps, E. Ntsonga, and others out of over 200 delegates; at Umtata the Transkei Chief's Convention was represented by Rev. J. S. Mazwi (President), Lockington Bam

(Secretary), C. K. Sakwe, E. Qamata, P. T. Xabanisa, Rev. R. M. Tunzi, W. P. Mlandu, H. S. E. Bikitsha, T. Makiwane and all the paramount Chiefs, ordinary chiefs, headmen, prominent men all numbering over two hundred.

THE SEGREGATIONISTS ANSWERED.

(By D. D. T. Jabavu).

The Segregationists have at last obliged us by coming out into the open. Our difficulty has always been that they have never hitherto explained what they exactly meant by the segregation of the Bantu in the Union of South Africa; but Mr. G. Heaton Nicholls delivered a full statement last August to the Durban Joint Council of Europeans and Natives, which has apparently earned him a position in the Native Affairs Commission to the unjust disregard of the claims of the Cape Province in that Commission, the object being evidently to load the dice heavily against the case of the Cape Native voter.

His highly readable statement purports to give us a reasoned case from at least twenty-one distinct points of view, and I propose to answer it point by point.

(1) In his historical introductory sketch he says that for ten years (1926-1935) the Government select committees and commissions failed to achieve unanimity, and that even the resultant bills constitute only a majority report with the important Cabinet Ministers of Justice and the Interior being in the minority. But he does not give the cause of this notable and remarkable division of opinion. To me it is quite convenient to give it. It is the reflex of the old historical conflict of Provincial traditions, namely the liberalism of the Cape versus the Northern view of

excluding the Africans from enjoying anything like full political liberty.

(2) He says "the principle enshrined in the Bills is that of trusteeship as defined by the League of Nations and proclaimed by the British Government in regard to its various colonies and protectorates in Africa." "This is something new for us. The principle he refers to is an invention of less than fifteen years' standing framed by its originators to meet the circumstances of more or less virgin territories inhabited by unsophisticated primitive peoples who have hardly come in contact with Europeans, and whose land settlements are still undisturbed by Western intrusion. Those originators would be the first to inform Mr. Nicholls that their principle was never meant to apply to conditions like those that obtain in the Union of South Africa, where Black and White have lived cheek by jowl, territorially speaking, for over a century. Here the Africans have been already and irrevocably placed under a democratic regime, at least many of them, and it is to-day too late, physically, to compel them to unlearn it and willingly revert to primitive innocence and ignorance.

(3) These bills, translated into administrative action represent the policy of adaptation that is to apply to all British African States. This policy, he notes, is that seen in the Transvaal (as distinct from the Ciskei) and in the Transvaal and Natal where Native customs hold sway, and then proceeds to make the remarkable deduction that "the effect of this provision is the existence to-day of nearly ten million morgen of scheduled Native Reserves in which the Natives are saved from any exploitation by Europeans." I do not think this holds true for Zululand. It certainly

does not hold for the Transkei. Pondoland is saved from exploitation by definite treaties or understandings made in 1895 when the Pondos, unconquered, spontaneously handed their land to the British. That Pondoland is saved by the "provision" or "principle" quoted by Mr. Nicholls is an absolute myth.

(4) He then affirms that there is no repression there: "White South Africa is regarded in some prejudiced quarters as being animated by repressive instincts in its dealings with the Natives." One could wish it were true that "there is no repression there;" but unfortunately facts do not support Mr. Nicholls. For instance only a few months ago the Transkei had to be saved from repression in the matter of trading rights by the intervention of the Hon. Piet Grobler in the teeth of fierce opposition by the local Whites. We are very thankful to Mr. Grobler for this. With regard to Zululand, one Transvaal African writer says "So far as we know it was the intention of the British government even after the Zulu war of 1879 to reserve the whole of Zululand for the Zulu nation. Speaking on behalf of Her Majesty's Government, Sir Garnet Wolsely said: 'As long as the sun rises from the east and sets in the west, Zululand will remain the country of the Zulus.' The sun still rises in the east and sets in the west, but the best of Zululand has been parcelled out to European farmers by the Natal White men, including perhaps Mr. Heaton Nicholls. What was the motive that prompted the grabbing of Zululand? First it was because the White people of Natal did not want a Zulu State next to their country as they considered such a State to be a menace to their security. Secondly they wanted not only the fertile parts of Zululand but also

the labour of the Zulu people. If Europeans in Natal had adhered to the policy of the British Government and allowed Zululand to remain the country of the Zulus, they would have escaped the Nemesis of retribution. The racial problems with which White South Africa is confronted to-day are the natural product of the disintegration of Bantu life by Europeans for their own ends: The migration of Africans from their villages to European towns is caused by the congestion that obtains in the reserves, and their competition with White workers in industry is due to the changed conditions of their life as the result of the White man's exploitation of their labour."

(5) The "prejudiced" criticisms to which he takes exception arise, says he, from "the restrictions placed on Natives when they enter European areas and the restrictions of the Native franchise in connection with the Union Parliament" "But these restrictions, irksome as they may be to those to whom they are applied, are of the very essence of trusteeship." Here Mr. Nicholls openly admits that the policy he proposes is irksome to us but that he intends to force it on us and justifies it because he is in hot pursuit of his pet word of trusteeship. He is thus clearly confused in his own argument and contradicting himself, or else he does not know the denotation of the word repression. For me this is repression unashamed, and his proposal and justification of the abolition of the Cape Native franchise is thus seen to be part and parcel of his elaborate scheme of repression. Under these circumstances we prefer to be where we presently are and to take our chance. We have no desire to be molly-coddled in this fashion in order to be made to fit in with this sort of segregation theory.

(6) He further says "If there were no idea of trusteeship there would be no Native reserves." This is a genuine mistake; for the reserves of Peddie, Herschel and Victoria East in the Ciskei, and those of Seliba, Witzieshoek and Thaba Nchu in the Orange Free State, Pondo-land in the Transkei and Zululand in Natal are fixed legally by virtue of definite treaties or understandings and not by virtue of this adventitious term of trusteeship.

(7) He then works out a contrast between this idyllic trusteeship as against the squalid Cape policy of democracy with its theory of equal citizenship which, he says, never did exist in practice in the Ciskei especially and paints a picture of a desolate Ciskei characterised by poverty and homelessness due to its being denied this benignant blessing of trusteeship.

I am not concerned with trying to convert him from his impression of a drab Ciskei but with the causes that he alleges as being responsible for that situation. The poverty and homelessness that obtain are due not to the absence of trusteeship but to normal growth of population resulting in a congestion that stands highest in the Union, namely, a hundred Natives per square mile of Native-owned land. This is simply a case of the need for more land, and the appeal can be, and is being made to the attitude of *noblesse oblige* in our White rulers, and we hope they will respond. Therefore this is not an evil to be laid at the door of the Cape democratic system.

(8) "The existence of the franchise is a negation of the principle of trusteeship." This statement is historically inaccurate; for the principle of trusteeship was invented only a decade ago, while the franchise was conferred on us eighty-one years ago without any reference to

any so-called "trusteeship." But even taking the contrast under the present connotation of the terms there is no necessary conflict in practical work. The franchise has been used by Europeans in Europe among their own people with beneficial results for the poorer or depressed classes when those in power exercised a sense of moral responsibility towards those less favoured with the goods of this world. For instance it is an axiom in educational politics in all Christendom that the state allocate its funds in such a way that the richer classes carry the burden of the poorer. This has nothing to do with political trusteeship, as argued by our mentor.

(9) "If the vote has any value at all it must mean a common citizenship, a common law for Black and White, and there can be no special protection for the Native population in the reserves. The reserves would have to go."

The vote obtains in both the Transkei and Ciskei reserves, and has always obtained, and the reserves have not gone, and will never go even when the vote is gone just because these reserves do not depend upon this newly discovered theory of trusteeship but upon binding agreements. A common citizenship is exactly what we all want for we live in the same land and under one and the same government. The gravamen of the case made out by Mr. Nicholls seems to have been based on the delusion that the reserves owe their existence to the theory of trusteeship. Future contemplated reserves may, but the present ones do not owe it to trusteeship.

(10) Misled by this same misconception he concludes that with the disappearance of the reserves, will go the Native Affairs Department, all Native law and custom, the

urban areas act, all differentiation, letting in exploitation and landlessness, as if exploitation and landlessness are not with us even now.

Here follows a plea for separateness and adaptation. Yes, we all practice social separateness but we Blacks do not desire to be cut off from developing in such a way that we may not inherit the blessings of modern comforts, labour saving devices and the efficiency that belongs to all modern civilisation. We have already tasted of the advantages of these things and can never be persuaded to go back to the darkness from which we have been dragged out by the White man. We are going to follow the best civilisation that we see before our eyes. Out of our six millions there are at least nearly a million born and bred in the towns of the White man and who know nothing of rural life. In my home town of King William's Town, and for many districts around it there are thousands of people of all colours and races, English, Dutch, Germans, Coloureds, Indians and Africans living mixed up without distinction in all grades of civilisation as townsmen, small peasants, big farmers, and under tribal conditions on crown lands, all voting together, all friendly, each taking his chance. All know that the South African Parliament pays no attention to voteless citizens, all have direct experience of the help of their members of Parliament in their affairs, all do not wish to part with their vote. The achievements of the vote are rarely spectacular even among Whites alone. Why expect them to be spectacular and definite in the case of the Blacks? To us this adaptation to Western civilisation gives satisfaction for it has successfully led us out of barbarism and brought us into contact with culture and education. We are not prepared to

surrender this stage of advance for the sake of theoretical and problematical trusteeship. Our situation is typical of other Ciskei districts like Queenstown, East London, Grahamstown, Port Elizabeth, and so forth. We keep racially separate, economically intermixed and friendly. A close study of these districts will convince any intelligent observer of the belated character of this segregationist theory.

(11) Mr. Heaton Nicholls proposes that the Africans be brigaded generally into a peasant economy and rural industries. Supposing such a thing were possible, the vote cannot hinder it, but on the contrary would secure the foundations of such a life on the firm basis of Parliamentary law instead of whimsical Proclamations so common in the administration of rural reserves. But the Africans born and bred in towns have a moral right to be where they are. The history of how they came to be there is pithily expressed by one Bantu writer thus: "There was a time when the African refused to come into the ambit of the White man's life and developed along his own lines far from the White man's towns, but this life, which was stigmatised as a life of laziness, was regarded as a menace by Europeans because in those days the African jungle had to be cleared, roads and railways made, mining and other industries established. But these things could not be done without the Black man's labour. To get the Africans out of their natural surroundings, the various governments of South Africa imposed heavy taxation upon them and herded them into small areas where they could not live the ancient life of their forefathers. That is how the Africans came into the life of Europeans, and abandoned the lines along which their race had been developing

through the roll of ages. Now that they had made it possible for the White man to establish himself and his industries firmly, it is proposed to squeeze them out of the White man's life and also out of South Africa by kraaling them into small reserves dotted all over the country where Mr. Nicholls tells us they will maintain "their separateness and develop a conscious racial element free from the exploitation of a European capitalistic state but under the guidance of the White race."

I must confess that this state of affairs is hard to envisage even in one's romantic flights of fantasy.

(12) As if intermittently repentant of his scheme of segregated trusteeship, Mr. Nicholls then confides to us that "for the time being the presence of each is necessary to the welfare and the interests of the other."

Why only for the time being? It will always be thus to the end of the existence of human beings on this planet. This is just where the segregation theory fails utterly. For twenty-two years has it failed and yet Mr. Nicholls, pinning his faith in the practicability of territorial segregation that has become more and more impossible since 1913, assures us he has discovered the solvent talisman in the shape of the disfranchisement of the Cape Native. How this disfranchisement will produce more land passes my comprehension.

(13) He wants to arrest competition in towns by transferring all the Blacks to the land. This is a physical impossibility because no amount of legislation will ever succeed in such a project, for obvious reasons.

(14) Another discovery he has made is the question why no one hitherto has ever realised that the Natives in the Protectorates have no representatives in Westminster?

The answer is very simple: They have genuine self government in that they themselves dispose of their own taxes and all revenue. We would be game tomorrow if Mr. Nicholls could kindly arrange that all our Poll Tax and other direct and indirect taxation, a matter of about nine million pounds per annum, were all placed in our hands for disposal. The Zululand Poll Tax does not go to King Mshiyeni Dinizulu and his *inkundla* but to Pretoria and his "Supreme Chief" at Cape Town. The Basutoland and Bechuanaland taxes do not go to England but to Maseru and Serowe respectively where the Pitso deals with them. The Transkei taxes and those of the Ciskei do not go to the Bunga nor to King William's Town but to Mr. Havenga in the House of Assembly from where Mr. Nicholls now proposes we should be removed. One friend of mine has rightly said: "The Natives in the Protectorates govern themselves under the guidance of a representative of a government pledged to develop their country in their own interests. Mr. Nicholls perhaps does not know that Africans under British rule in West Africa, although not represented at Westminster, are eligible for membership in their Legislative Councils and co-operate with British officials in the administration of the affairs of their countries." The comparison is thus all against Mr. Nicholls and the Union Government.

(15) He then recommends that the six million Bantu should be represented by four senators in the Senate, and by nobody in the House of Assembly.

To me this is the most staggering suggestion I have ever heard of in all my life. It seems too bad for anybody with commonsense to be called upon at all to prove the absurdity and injustice of this proposal. If this is the zenith of

segregation then segregation simply means the relegation of all the Bantu into a position of helots in their own homeland. Oh! for a command of the English language to express in graphic words the reckless enormity of this segregationist suggestion! Who would dare in England to have the temerity to propose in Parliament that all the lower classes be deprived of their present franchise and instead, be represented by four people in the House of Lords? Why, that would be a signal for a bloody revolution similar to the 1789 French Revolution with all its sanguinary massacres. But South Africa is a happy land where such a proposal can be made in all seriousness and justified with grandiloquent rhetoric without any qualms. My reply here is quite brief: We do not want any representation in the Senate if that be substitute for the little that we presently possess in the House of Assembly where all our money goes. Our chief interest is our money that is collected by, and disposed of in the Assembly. The Commission at King William's Town told us clearly in reply to our fusillade of questions, that the Senate has no power whatsoever over finance, and may not turn down any money bill. That job is the exclusive prerogative of the House of Assembly. Somebody somewhere must have thought the Natives to be thickly stupid to anticipate their being gulled by this empty shell of the Senate House.

(16) Next, he says the Representation Bill is designed with the object of helping tribal communities; hence it abolishes all individual voting and substitutes group-voting on a communal basis.

My answer is that not all the Bantu to-day in the Union live on tribal lines. At least two millions of them know

absolutely nothing about communal life. That is exactly why uniformity of administration is entirely out of the question. The sooner White South Africa understands this fact, the better for the whole country. We live in all grades of development : some of us are tribal and prefer to remain tribal ; others have outgrown the tribal law and can never be forced back to it even by the legislation of the Union Parliament ; others, still, have been completely Europeanised in their political outlook. All these grades must be catered for. And I would suggest that Parliament appoint a Commission forthwith to deal with these bills *de novo*, recasting them so as to allow of a square deal for all these stages of development, abandoning, once and for all, all preconceived notions of a possibility of uniform administration for all Union Bantu. This is the huge error underlying all these bills. They will never work. On the contrary they will generate a fresh source of insoluble troubles for generations, the troubles constantly increasing in intensity proportionately as the Bantu tribal life undergoes disintegration. Tribal life has not come to stay, any more than it has stayed put in Scotland where the clan names survive as echoes or reminders of its previous existence. It has already disappeared in many districts of the Union, and will continue to do so till it is out of date as it now is in Sierra Leone. Probably Mr. Nicholls does not know this, or blinds himself to it, or wishes deliberately to drive all Bantu back to tribalism by means of legislation. He impressed me with this belief in May, 1927, when cross-questioning me at the Select Committee of evidence on these very bills, his assumption being that Bantu tradition was that of autocratic rule as against democratic rule. On that

occasion both Selope Thema and myself (without previous consultation) told him that Bantu rule was essentially democratic, and that Tshaka's autocratic rule was merely an exception due to special exigencies of military episodes. Evidently he remains unconvinced and is now dragging all South Africa down a precipice of disaster in an illusion that may cost the country dear if not corrected betimes.

(17) He goes on to assert that "The Senate is shorn of all power over finance and it is therefore important to protect the Natives as taxpayers," and "As things are, the Native voter at the Cape can, at any rate, cast his vote for a member of the House of Assembly, who is able to speak in the ruling House for the Natives, but under the new system, there will be nobody to speak for the Native in the Lower House when the Native vote becomes extinct."

This astounding piece of self-contradiction leads me to think that Mr. Heaton Nicholls, when he wrote this, must have momentarily forgotten what side of the case he was engaged in defending. For this is the strongest reason against his whole thesis. I am grateful to him for it, and sincerely trust White South Africa, especially our present members of Parliament, will do the rest by referring all these bills to a new Commission with instructions to work along the lines I have suggested in my paragraph (16) above.

(18) He then exhibits his lack of acquaintance with some of the things that have happened in Parliament when he says: "There has never been a member of the Union House of Assembly who was selected as a candidate by the Natives. He has always been the nominee of one or other political European party and as such, he could not run counter to the interests of the European. The

presence in the House of members elected by the aid of Native votes, has in no case, as far as I am aware, ever affected the passage of any Native legislation."

To affirm a negation merely because you have no knowledge to the contrary is often hazardous, and Mr. Nicholls here has definitely let himself down. Perhaps he was absent, or he has forgotten what took place during the discussions on the Native Administration Act (1930) when radical changes were effected by members from Native constituencies.

A full reply to him has happily been given to him in Section Three of the Resolutions passed by the King William's Town Government conference, in twenty-five clauses that were unfortunately not broadcasted by Reuter. [See page 13 in this booklet].

Here it remains to add that although it would be bad diplomacy for me to divulge what happens at nomination committees and party caucuses, nevertheless his assumption is utterly incorrect. I am prepared privately to give him tangible proof to the contrary of what he has said. It is only out of social courtesy that we Black voters discreetly absent ourselves at nomination meetings, but full previous consultation is the general thing. We get our objective without the advertisement he complains of. It is this friendly and harmonious piece of race co-operation that is unknown to Northern segregationists. This is the basis of White and Black amity in the Eastern Province that we do not want to see destroyed for the sake of theorists who are not yet emancipated from anti-Black prejudice.

At this juncture the paper of Mr. Nicholls goes into an attack on the Native vote based on sentimentalities that

have been already proved to be erroneous by the King William's Town resolution referred to above.

(19) Originally, Mr. Nicholls wanted actual Bantu members, seven in number, in the Senate but was defeated by the Committee in this proposal and the defeat brought in the present alternative which is less attractive than that of 1926 because it destroys even the hope of our making a beginning at uprooting the colour bar ; it reduces the fifty Black members down to sixteen ; it eliminates the individual vote. This incident shows how hard it is even for Mr. Nicholls to carry out some promises he personally made to me five years ago when he was trying to persuade me to give up the vote. We are therefore safer in sticking fast to what we have.

(20) Concerning the Representation Bill, even Mr. Nicholls seems to be in despair, when he animadverts : " I must confess that I do not like this body at all, for it appears more designed for mischief than for use " because it will not be guided by the House of Assembly. Here we have a confusion of thought which may be expressed in other words thus : " I want you to develop along your own lines away from the White man, but I want to guide you in those lines." Apparently the case of the segregationists suffers a complete breakdown here. But another Cabinet Minister recently said " The proposed Council will eventually become a Native Parliament." One Native writer asks what does this exactly mean ? " A Parliament means a legislative body. Can there be two legislative bodies in the same country and under the same Government, making laws for different peoples ? If the Transkei Bunga has worked satisfactorily, it is only because Native interests in Parliament are amply safeguarded by the

Tembuland member of Parliament. The Bunga is like the Divisional or Municipal Council whose function is to administer local affairs and does not in any way influence Parliament except through its member of Parliament. If the purpose of the policy contained in the Bills is to enable us to have a say in our affairs, then let the Council have such powers as will prevent Parliament from legislating against us; that is, Native affairs should be separated from European affairs. In other words, let us have in South Africa two States, independent of each other and yet under the King's representative who will preside over the destinies of the European State as a Governor-General, and over those of the African State as a Supreme Chief. This is the logical conclusion of the policy of political territorial segregation."

(21) His final exhortation runs thus: "The very worst thing possible in passing this legislation will be to create ill-feeling by raising suspicion as to the honesty of our intentions."

My reply is that these intentions though honest are founded upon illogical and mistaken premises, as I have indicated throughout this paper.

My prayer to all White South Africa is this: I pray that these bills be not introduced into next Parliament but be suspended until the Bantu have had a fair chance to study them in all their implications. Such a chance will include the circulation of copies of the bills generally among the Bantu leaders who met the Native Affairs Commission at Maritzburg, Pretoria, Mafeking, King William's Town and Umtata.

Then the Government should summon a combined conference of the Bantu at the end of 1936, after the census

figures have been published, or later, if these figures be unavailable. After that the Government should appoint a fresh Committee or Commission to study the facts as presented by the Bantu in their answer; for it will then be realised that the present bills are not a solution.

(September 23rd, 1935).

SELBY D. B. NGCOBO, B.A.

(of Amanzimtoti, Natal).

"There are some very disquieting features about the provisions of these Bills, at any rate from the point of view of the educated Native, for whom I shall presume to speak. Let us leave aside for the moment the Native Land Bill and confine our attention to the Native Representation Bill.

Four Senators.

"The Bill provides that four Europeans be elected to the Senate by Native electoral colleges. No reasons have been advanced why these four Senators should be Europeans instead of Natives. When these Bills were under consideration some years ago we were given the impression that qualified Natives would go to Senate; once again we have been let down.

"One reason which has been advanced against the Cape Native franchise is that it is degrading to White Parliamentary candidates to pander to Native voters at election times. One would like to know why it will not degrade Europeans soliciting the vote of an electoral college at election times.

" Failing Black Senators, is it too much to ask that the Transkei and the Cape Native electoral college should return Bantu Senators and to provide that the other provinces may return European or Bantu Senators ?

" The Bill goes on further to say the Administrators may attend the sessions of the Union Native Council, but it does not provide that the four Senators, who will ostensibly represent the Natives, should, as they may profitably do, attend the Union Native Council meetings. To my mind this is a serious defect. For twenty-five years four Senators have represented the Natives in accordance with the Act of Union, and our complaint has been that these four Senators were not directly in touch with responsible Native opinion. To my mind it should be a statutory requirement that they attend, even if just to listen, the Union Native Council meetings.

" Native Provincial Councillors: The Cape and Transkei are to have one Provincial Councillor each. Well and good. There were Native M.P.C.'s in the Cape before. But why will Native representation in the Cape Provincial Council cease 'should at any time Native education, Native hospital needs and subsidiary roads cease to be matters in respect of which the Provincial Council may make Ordinances?' Education and hospitalisation do not by any means exhaust our mutual interests. Natives should always be members of the Cape Provincial Council to represent us in the many and complex problems of our inter-racial contacts which every Ordinance touches.

Union Native Council.

" Union Native Council: I come now to the most disturbing part of this Representation Bill.

"The principle of sound representation is that the people should be represented by the most enlightened of their group. This Bill negatives that principle. The Natives of South Africa will be represented by the most backward of their group. The Government has shown unctious regard for tribal Natives ; of course, it has an eye to the tribal Native of the Protectorates. In the category of 'chiefs and headmen, local and general councils, Native reserve boards of management and rural advisory boards,' town Native advisory boards, with their progressive ideals and their experience in administration, are left out. From the above category will come our electoral college members and our Union Council members. Educated Natives—I do not mean sophisticated Natives—will get in by accident and they will be swamped by their tribal kinsmen.

"Nor is it likely that so bucolic a council will choose the best European for the Senate or the most informed Native councillor. Some of us educated Natives are devoting time, study and thought to the so-called Native problem, and the Bill gives us no chance of making our voice heard in the councils of the nation. We are trying to meet our inter-racial problems in a Christian spirit and in the spirit of a sweet and reasonable compromise ; but the Government definitely leaves us out. Is this good for the Natives ? Is this good for the Europeans ?

"The Union Council should reflect truly and fully Native opinion in the country, and much depends on its Native personnel. As the Bill stands there is danger of its work being stifled by tribal and ignorant Natives, who will not understand the procedure and to whom the subjects under consideration will be foreign.

Where Uniformity is Unjust.

"Lastly, I wish to protest against the Natal idea of praising the Bills simply because they are supposed to approach very nearly the policy of Sir Theophilus Shepstone or that of the South African Native Affairs Commission of 1903-1905. Sir Theophilus Shepstone was dealing with a homogeneous Native people and in one province. That was seventy to eighty years ago. To-day the Natives are not one class. There are Natives and Natives. The Bills in several respects fail to take account of this fact and they should be censured, not praised.

"By all means let us have uniformity in Native policy, but let us not sacrifice justice to mere uniformity. We do not like segregation in principle, but segregation is inevitable in this country. However, let us have segregation with honour." *Natal Witness*, 10th May, 1935.

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N.B. Pending the publication of the draft Native Bills in the Bantu vernacular languages, readers are recommended to study the "Description and Analysis of the Native Bills."

Obtainable from

The Secretary,
Institute of Race Relations,
P.O. Box 1176,
Johannesburg.

It gives useful *ad hoc* information. Price One Shilling.

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