

Part E (12) ✓

**THE FINDINGS**  
OF THE  
**ALL AFRICAN**  
**CONVENTION**

BY  
**D. D. T. JABAVU**  
(PRESIDENT)

(PAMPHLET THREE)

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JABA

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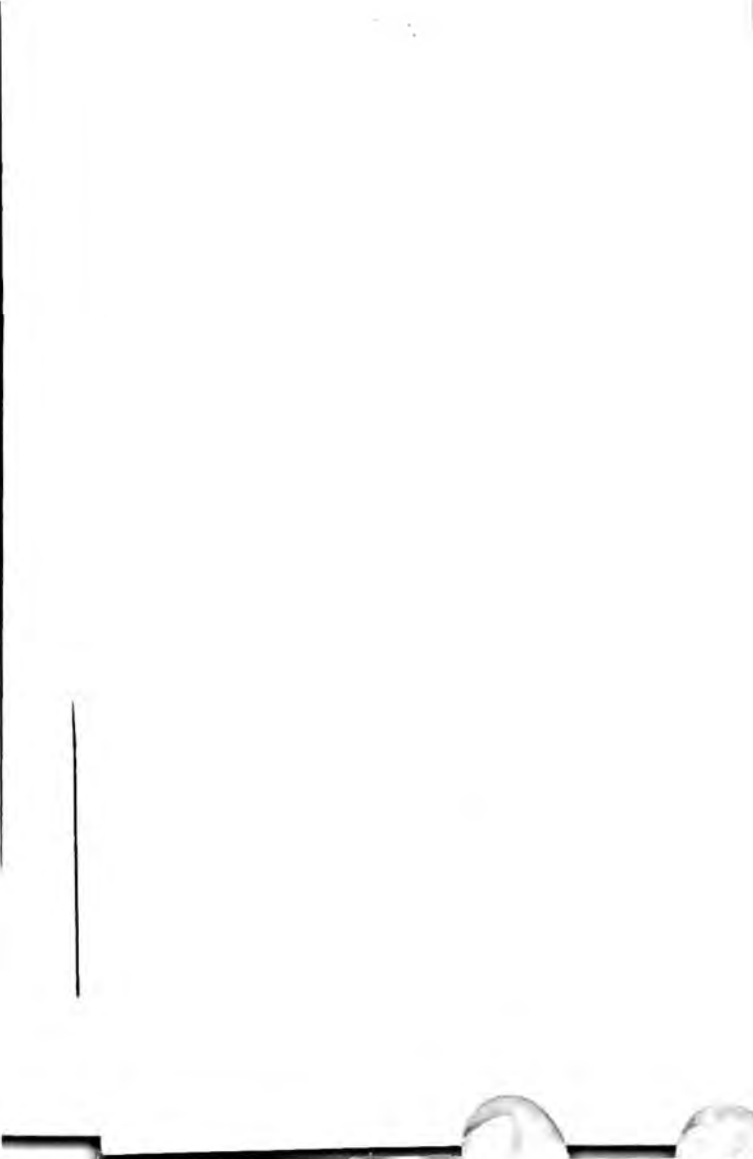
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# THE FINDINGS

OF THE

# ALL AFRICAN CONVENTION

BY

D. D. T. JABAVU

(PRESIDENT)

*(PAMPHLET THREE)*

PRICE 1/-

**JEFFREYS** BEQUEST  
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## PREFACE.

This is the third and last pamphlet in the series collating special information about the Native Bills. The present number contains: (1) the findings of the mammoth Bloemfontein convention of Africans that met during December 15th-18th, 1935, a gathering that broke all records for its numbers and its massive representative character; and (2) the illuminating article written by Sir James Rose-Innes for the *Cape Argus* just before the meeting of the Convention.

The Convention was brought together not by the machinery of Government officials, nor by any one leader in particular, but, as one member put in, by the *ma-Dimo*, the Bantu ancestral spirits that proverbially exercise an active influence on the living Bantu from their mystical spiritual abodes. Every leader was present, every organisation represented.

It is now due to the powers that be to pay regard to this united spontaneous expression of Black Africa on these Bills. *Verb. sap.*

D. D. T. JABAVU,  
*President, All African Convention.*

Alice, C.P.  
December, 1935.

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## RESOLUTIONS.

### (1) THE FRANCHISE BILL

On Clause 1 of the Representation of Natives Bill, the following Resolution was moved by Mr. H. Selby Msimang (Transvaal), seconded by Rev. A. Mtimkulu (Natal), that:— (Preamble)

“In the opinion of this national convention of African chiefs and other leaders, the policy of political segregation of the White and Black races embodied in the Representation of Natives in the Senate Bill is not calculated to promote harmony and peace between the two races, for the logical outcome of its operation will be the creation of two nations in South Africa, whose interests and aspirations must inevitably clash in the end and thus cause unnecessary bitterness and political strife. The political segregation of the two races can only be justly carried out by means of the creation of separate States, and this, besides being undesirable and impracticable, is not contemplated under the Land and Trust Bill.

#### **Making Fruitful Soil for Propagandists.**

“The denial to the African people of participation in the government of the country of which they are an integral part, on the basis of common citizenship, is not only immoral and unjust, but will inflame passions and fertilize the soil on which propagandists will sow the seeds of discontent and unrest.

“The danger of denying to a people the right to work through constitutional channels for the improvement of its conditions is supported by the history of European

countries, particularly in the first half of the nineteenth century.

“Another principle of these Native Bills is to set up the White man as the trustee of the African people, and to relegate the African people permanently to the position of a child race.

#### **Disinterested Tutelage.**

“This ought to mean that the Europeans are exercising, in the interests of the African, a disinterested tutelage for as long as this population is itself unable to take care of its welfare. The principle further implies that the trustee himself has no interest in the affairs he is administering, beyond the welfare of the ward. But where the White man forms part of the permanent population, as is the case in South Africa, the conflict of interests militates against the utmost good faith which a trustee ought to show in the discharge of his duties and responsibilities.

“Under such circumstances this convention is convinced that the only policy which will adequately safeguard the vital interests of both sections is one based on the principle of partnership. This principle of partnership should find expression in all the councils of the State.

#### **Full Partnership.**

“The common assumption that the South African conception of trusteeship is identical with that evolved and pursued in her colonies by Great Britain we believe is erroneous and misleading. The policy followed by Great Britain in her possessions and protectorates is that of trusteeship, to be eventually superseded by full partnership, viz., responsible government and Dominion status,



as is instanced by the development of the relations between Great Britain and India. This is the direction in which British administration in Nigeria, the Gold Coast, Uganda and Tanganyika has moved and is moving. In these territories, where African interests are paramount in theory and very largely in practice, there are no rights, duties and obligations which are closed to Africans merely on the grounds of race or colour.

“The hope that the paramouncy of African interests will be achieved in the segregation areas dotted all over the country is diametrically opposed to the facts of the South African situation. In a country like South Africa, where the interests of the racial groups are inextricably interwoven, the attempt to deal with them separately is bound to defeat its own objects, and the placing of the destinies of the under-privileged groups in the hands of one dominant group, however well intentioned, is fundamentally wrong and unjust.

#### **Political Identity.**

“In the light of the above considerations, the convention is convinced that the only way in which the interests of the various races which constitute the South African nation can be safeguarded is by the adoption of a policy of political identity. Such a policy will ensure the ultimate creation of a South African nation in which, while the various racial groups may develop on their own lines, socially and culturally, they will be bound together by the pursuit of common political objectives.

“The convention contends that this object can only be achieved by the extension of the rights of citizenship to all the groups.

### Disproved by Cape History.

" The idea that the granting of full political rights to the African people would constitute a menace to the peaceful development of the Union of South Africa is disproved by the history of the Cape Colony prior to Union. In that Colony the wars and racial friction which prevailed between White and Black prior to the enfranchisement of the non-Europeans may be contrasted with the harmonious and peaceful relations which had characterised the contact of the racial groups during the last seventy-five years.

### Civilisation Test.

" We recognise that the exercise of political rights in a democratic State demands the possession, on the part of those who enjoy them, of a reasonable measure of education and material contribution to the economic welfare of the country.

" The convention is therefore not opposed to the imposition of an educational or property or wage qualification, as a condition for the acquirement of political privileges, and believes that such measures would adequately protect the interests of the White population in whose favour the dice are already heavily loaded in view of the extension of adult suffrage to White men and women. In short, we believe that a civilisation test, such as was contemplated at the National Convention in 1909-1910, is equitable; but that the criterion of race or colour, which is implied in these Bills, is contrary to democratic government and is calculated to engender and provoke feelings of hostility and ill-will between White and Black.

### **Abolition of Cape Franchise Opposed.**

" This convention is therefore opposed to the abolition of the Cape Native franchise and reiterates its firm conviction that the Cape Native franchise is a matter of such vital importance to all the African people of South Africa that it cannot bargain or compromise with the political citizenship of the African people by sacrificing the franchise, as is proposed in the Representation Bill. On the contrary, the Convention believes that the time has arrived for the immediate granting of the individual franchise to Africans in the northern provinces.

### **Day of Humiliation.**

" The Convention enjoins all African inhabitants of the Union to observe Sunday, January 19, as a day of universal humiliation and intercession in their places of worship, public gatherings and private abodes. Prayers must be offered up for the Almighty's guidance and intervention in the dark cloud of the pending disfranchisement of the Cape Natives by the Parliament of South Africa.

### **Direct Appeals.**

" This convention makes a direct appeal to the honourable members of the Senate of the Union legislature, nominated by the Government for their special knowledge of the reasonable wants and wishes of the Native population, and to the members of the House of Assembly to make strenuous efforts in opposing the passage of the clause that disfranchises the Cape Natives in the Representation of Natives in Parliament Bill and otherwise to use their vote to defeat other objectionable features in the Native Bills.

" Furthermore, that the Governor-General, in his capa-

city as chief executive officer of His Majesty's Government in this country, be requested to refrain from assenting to the passage of this clause, if passed by the joint session of Parliament.

#### **Appeal to King and British Parliament.**

"This convention feels that it is imperative to appeal to His Majesty King George V and the Parliament of Great Britain, as the present representatives of the original beneficent donors of the Cape Native franchise, for an expression of their opinion in the event of such treasured gift being abrogated by His Majesty's Government in the Union of South Africa without reason.

"This convention commends the policy adumbrated in the present Native Bills to the close study of African inhabitants in the protectorates of Basutoland, Bechuanaland and Swaziland, particularly in regard to the proposed future incorporation of such protectorates in the Union."

The resolution on the franchise question was put to the convention and carried unanimously.

#### **Resolution to be Submitted to Parliament.**

The following resolution, moved by Mr. L. T. Mtimkulu, was carried :—

"This convention resolves :—

"(1) That the resolutions on the representation of Natives Bill and Native Land and Trust Bill be submitted to Parliament by a deputation of Africans during the next session of Parliament.

"(2) The said deputation to present the viewpoint of the African National Convention held at Bloemfontein on December 16 at the bar of the House of Assembly.

"(3) That it be an instruction to the deputation to

submit to Parliament the contention that, in the opinion of this convention, no permanent or peaceful solution of the franchise or land question is possible unless it is the result of mutual agreement between representatives of White and Black races, which is only possible by means of a round-table or similar conference.

“This conference therefore respectfully requests the Government to consider the advisability of taking steps in the direction of calling together such a conference.”

Mr. C. Kadale (East London) said that past experience had shown that it was futile to ask for deputations to meet the Government. In case another failure should be met with, he suggested that at the conclusion of the convention the meeting should not be closed, but stand adjourned. Thus the convention would be in a position to deal with any eventuality that might arise in future.

#### **Organisation of Protest Meetings.**

Mr. J. Gunas (Cape Town) moved that the delegates to the convention should be instructed to form committees in the towns and villages to organise protest meetings. Success could only be obtained on the basis of the mass organisation of the people to carry on the struggle for the rights and liberties of the non-Europeans of South Africa.

*N.B.*—All the above resolutions were passed with absolute unanimity, there being not a single dissident, in the Convention sessions. In the committee on the Council bill the voting was 26 in favour of the resolution with 3 against. The harmony of the Convention was remarkable, when one considers its conflicting elements of extremists, die-hards, moderates and those who actually favoured the Bills. (President).

## (2) UNION NATIVE REPRESENTATIVE COUNCIL.

On the Union Representative Council Bill the following finding of the convention's committee dealing with resolutions was submitted to the convention in the form of a resolution :

"The proposals for the establishment of the Union Representative Council are not acceptable to this convention, for they are a substitute for the Cape Native franchise. This convention holds that the Government has the machinery provided for by the Native Affairs Act No. 28 of 1920, which is capable of improvement, through which the Government has power to consult the African people on matters and legislation affecting their interests.

### Local Councils.

"The convention urges the Government, therefore, to proceed with the establishment of the local councils in the Union under the 1920 Act and any amendments thereof."

Mr. R. H. Godlo (East London), moving the adoption of the resolution, said that the Natives had found much that was good in the existing local council movement, which could be extended; but the establishment of a new national council as contemplated in the Native Bills could not be accepted as a quid pro quo for the vote.

Dr. P. ka I. Seme seconded.

Mr. L. Mtimkulu (Lady Frere) pointed out that the formation of local councils was dependent on the wishes of local communities. He advocated the deletion of the

last sentence of the committee's finding. To this the convention agreed.

The resolution was carried with the following in place of the deleted portion: "This convention is strongly opposed to the creation of another colour bar in the Provincial Councils under the guise of the Provincial Council representation of Natives, as contemplated under the proposed Representation of Natives in Parliament Bill. The system of representation in vogue in the Cape Provincial Council, where there are no restrictions on the participation of non-Europeans in Provincial Council matters is, in the opinion of this convention, a model which might well be adopted in the provincial systems of other provinces, as well as by the Union Parliament itself."

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### (3) NATIVE LAND AND TRUST BILLS.

In introducing a number of proposals in connection with the Native Land and Trust Bill, Dr. A. B. Xuma said that the Bills were a thorn in the side of South Africa. Land was the most important item in the life of a nation, and even aeroplanes, in spite of the wonders they performed, had to come down to the ground. The proposals he had to make were the outcome of the consideration of the executive committee of the convention.

The proposals, which were passed without opposition, were as follows:—

"This national convention of chiefs and other representative leaders of the Bantu people regards the proper adjustment of the land problem as fundamental to the so-called 'Native question,' and therefore welcomes the attempt of the Government to deal with this matter.

“At the same time the convention wishes to point out that the efforts of the Government in this direction are vitiated by the gross inadequacy of the morgenage of seven and a quarter millions which it is proposed to set out as a maximum amount of land to be acquired by the Natives' land trust to be established under the Bill.

“When it is further borne in mind that, even if this morgenage were to be made available under the Bill, it would secure to the Native population only about 17 million morgen of the total morgenage of 143,000,000 in the Union, the failure to take into account the future needs of an increasing Native population will be realised.

#### True Aim of Land Adjustment.

“The true aim of land adjustment, we maintain, should be to provide the bulk of the Native population, which is predominantly rural, with sufficient land to allow of their making a livelihood.

“The fact that this aim is ignored by the Native Land and Trust Bill can only be interpreted by the African people as a vague attempt to force them out of their reserves into a position of economic dependency.

“In connection with chapter IV of the Native Land and Trust Bill, this convention desires to point out that the problems of labour, tenancy, squatting, and so on, are a direct result of the inadequacy of the amount of land set aside for Native occupation.

“Further, this convention is convinced that the restrictive provisions of this chapter are not only unnecessary but negative in effect, and the convention urges the Government to drop this whole chapter in the Bill and to take as a first step:—



“(a) A Union census of the Native population in order to ascertain the distribution and number of the Native people in the following areas: (1) The Native reserves and privately-owned Native lands; (2) Squatters, labour tenants or servants on European farms; (3) The proposed released areas;

“(b) The convention urges the Government to appoint a mixed commission to investigate the ownership of the proposed released areas.

“This convention is of the opinion that only after these facts have been ascertained would it be possible to determine with any degree of accuracy the actual amount of land which is being made available for African occupation under the Land Bill.

#### **Powers of the Trust should be Defined.**

“This convention welcomes the suggestion of the establishment of a South African Native trust, but recommends that the powers of such a trust be definitely defined, and further urges the Government that, in the event of the Bill becoming law, definite financial provision be made to enable the trust to secure sufficient land for the needs of the African people within five years from the date of the commencement of the Act, and also adequate additional funds to enable the proposed South African Land Trust to carry out its functions.”

#### **Not Sufficient to Accommodate Native Population.**

In seconding the motions, Mr. H. Selby Msimang (general secretary) claimed that the Native legislation had been undertaken in the dark and there was no intention on the part of the Government to grant more land to the Natives. The 7¼ million morgen of land had

been set aside without any knowledge of the size of the population affected. In 1926, he stated, General Smuts had said that the reserves were over-crowded and that there were up to 9,000 squatters who would have to leave the land they occupied. He asked what had the 7½ million morgen been released for and how many African families would be able to get accommodation there? If the scheduled areas were crowded where would the surplus population go? There was not sufficient ground to accommodate the Native population.

Mr. Msimang hoped that some relief would follow the release of the 7½ million morgen, but he claimed that this area would be given to the Natives, for land that had been placed on the schedules before 1913 as being Native-owned was now being released for Native occupation under the Bill. He mentioned a case in the Transvaal where a chief's farm—property which had been bought by the tribe and scheduled before 1913—was being released today. He requested that a commission be appointed to find out if the Natives were really getting any new land.

There seemed to have been a conspiracy against the Native people, Mr. Msimang continued, with the object of condemning them to everlasting economic slavery.

#### Economic Slavery.

More than a million Natives were living on the farms of Europeans under conditions bordering on slavery. They were called squatters, labour tenants or servants, but they received no pay. The labour tenants received strips of land to plough instead of payment and the farmers made sure that each received not more than ten

bags of grain out of the land. This they accomplished by keeping the tenants busy with their work, with the result that the Natives either had to plough very late at night, or early in the morning. When weeding had to be done, the tenant's wives were needed by the employer for housework.

Chapter four of the Bill stated that the squatters would have to leave the land within ten years and after that period each farmer who wished to keep a squatter would have to pay a licence fee. The labour tenant, however, only had to be registered under the name of the farmer. The Bill did not say what protection would be granted to the interests of the labour tenant. The farm owner would have the right to use the tenant's oxen without payment (chorus of dissent from the gathering) and he would also be able to take the milk from the tenant's cows. All this tended to drive the labour tenant off the land.

Where would this man go, Mr. Msimang asked. Would he try to enter service in the towns? A Government Commission had been appointed to seek means of driving the Native out of the towns and to keep him out.

There was no room in the scheduled areas. No land could be given by the Trust. The result would be that the Native would have to surrender to the nearest person who would give him food.

The Rev. Z. R. Mahabane, predicted the outbreak of a revolution in South Africa. The Europeans, he said, underrated the intelligence of the Natives and although there were only about two million White people in the Union they were appropriating 80 per cent. of the land—the land that had been the birthright of the Natives. In addition

the Europeans were creating further reasons for discontent among the Natives.

Speaking as a man who occupied a position of grave responsibility among the community, Mr. Mahabane claimed that the trend of Native legislation in South Africa was definitely going to lead to a Native revolution. He could see a revolt coming unless the policy with regard to the Natives was drastically altered.

#### **Poll Tax should be Written Off.**

Other speakers claimed that the Government was taking the land of the Natives and returning it to them as a gift. It was true that under the Native Lands Bill nothing had been given to the people in the Free State. Others again suggested that the poll tax should be written off, as had been done in the case of the debts of the farmers.

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#### **(4) GRIEVANCES FROM OPPRESSIVE LAWS.**

Mr. F. H. M. Zwide (Port Elizabeth) seconded by Mr. Marks (Johannesburg) moved the following omnibus resolution on repressive legislation :—

“(1) That, as a direct result of repeated and unfair declarations by members of the Government and others to the effect that Africans are a menace in this country, a stigma has been cast and gullibly received in South Africa, to the detriment of the aborigines.

“(2) That since then and until today the trend of legislation has been inclined to oppression and repression. Laws like the Riotous Assemblies Act, the Native Service Contract Act, the Poll Tax Act and the Pass Laws are oppressive.

“(3) The convention feels that the Union Government

has not regarded the Union Africans as part and parcel of the community of South Africa.

“(4) That the continual discrimination, politically and economically, has tended to emasculate the Africans and to relegate them to a position bordering on slavery.

“(5) That, whereas compensation and consideration have been extended towards the White community by way of pensions, a White labour policy, the remission and alleviation of taxation, Land Bank assistance to farmers, the supply of milk to White children out of public revenue, the minimum wage determinations, compensation for South African War losses, and facilities for White education, very little of the legislation in this country has been devoted to assure Union Africans of their citizenship in a democratic country like South Africa.

#### Appeal to the King.

“(6) That Union Africans have been treated like aliens in their own country.

“(7) That this attitude of the Government has grievously violated and injured our susceptibilities, and we now pray, as His Majesty's loyal subjects who have been patient 'like asses' and loyal despite all these disabilities, that His Majesty's Government should consider the redress of these grievances and alleviate the Black man's lot.

“(8) That this convention fully and firmly believes that the prosperity and progress of South Africa lies solely in the contentment of each and every one of its population, irrespective of colour or creed.”

This was passed unanimously.

## (5) PROPOSED WOMEN'S ORGANISATION.

During the congress the women delegates met and adopted a resolution expressing admiration of the stand taken by the convention. "We feel," the resolution continued, "that the time has come for the establishment of an African Council of Women on lines similar to those of the national councils of other races, in order that we may be able to do our share in the advancement of our race."

This was adopted and registered as a Convention Resolution.

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## (6) CONVENTION ORGANISATION.

It was further resolved and unanimously agreed that  
" (a) This Convention is from henceforth an organised body.

(b) That the present Executive Committee is empowered to act until the next meeting of the Convention.

(c) That the present Executive Committee draft a Constitution to be circulated among the delegates, the constituent organisations, and the African press in preparation for discussion, amendment and adoption at the next Convention meeting.

(d) That in the hands of the Executive Committee be left all Convention matters such as the collections of Convention funds, the appointment and despatch of necessary delegations to the Government, and the summoning of next Convention meeting.

(e) That collections be made from the public in lists endorsed by the signature of the President and all such funds to be sent to and deposited with the Convention Treasurer, Dr. J. S. Moroka, P.O. Thaba Nchu, O.F.S.,

cheques being crossed "All African Convention per Dr. J. S. Moroka."

(f) That the total funds aimed at be five million shillings—to correspond to the five million Bantu people—for the propagation of the purposes of the Convention as described in the Regulations.

[The delegates hereupon paid a shilling each, amounting to £17 and it was urged that shilling collections be made at home in all towns and villages, specially by Chiefs, from all sympathisers with the movement.]

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### (7) URBAN AREAS.

Another resolution adopted was as follows:—

"The projected amendment of the Natives (Urban Areas) Act threatens to disorganise everything already initiated by urban Africans in the way of self-development. This is occurring at a time when no real efforts are being made to remove the causes of the drift to the towns of the rural African families. Therefore this convention respectfully and yet strongly urges the Government to desist from introducing further legislation that disturbs the progress already initiated by Africans in the urban areas."

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### (8) THE PERMIT SYSTEM.

Another resolution read:—

"The convention learns from reliable sources that wholesale arrests are being made in Reef municipal locations as a result of the unexpected reintroduction of the permit system. The convention respectfully requests the Minister of Native Affairs to order a halt of these arrests until the leaders of the people have had the opportunity

of studying the situation and making representation to the authorities." This was passed.

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#### (9) DISEASES.

Dr. G. H. Gool, of Cape town, proposed that the Government investigate the health position of non-Europeans in South Africa, as reflected in the high deathrate from certain preventable diseases and take the necessary steps to remedy this state of affairs. The convention also recommended the establishment of National Councils of African Women in all parts of South Africa. Agreed.

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#### (10) DEPUTATION.

A deputation consisting of a representative from each province will go to Cape Town to interview the Minister of Native Affairs (Mr. P. G. Grobler) and to present to him the resolutions of the convention. Agreed.

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#### SUMMARY OF PROCEEDINGS.

The attendance numbered about 400 delegates, there being 30 from Natal, 70 from the Orange Free State, 100 from the Transvaal, 200 from the Cape (including British Bechuanaland and the Transkei Territories), 10 from Basutoland and one from Swaziland.

The delegates arrived on Sunday morning, 15th December, 1935, and registered with the local committee at the office of Mr. T. M. Mapikela, the Chief Headman of all the Bloemfontein locations.

At 11 a.m. the Convention religious service was conducted by the Rev. Abner Mtimkulu of Durban, and at noon Professor Jabavu was unanimously elected



Chairman of the preliminary meetings in preparation for the official commencement on Dingaan's Day, and the sub-committees started straightway to work at the four draft bills.

The committees, confirmed on Monday, were the following:—

1. Executive Committee of the Convention:—

*President* : Professor D. D. T. Jabavu (Fort Hare, Cape).

*Vice-President* : Dr. A. B. Xuma, M.D., B.Sc. (Johannesburg).

*General Secretary* : H. Selby Msimang (Johannesburg).

*Record Secretary* : R. H. Godlo (East London).

*Clerk-Draughtsmen* : Z. K. Matthews, M.A., LL.B., (Amanzimtoti, Natal).  
S. D. Ngcobo, B.A. (Amanzimtoti, Natal).

*Treasurer* : Dr. J. S. Moroka, M.B., Ch.B., (Thaba Nchu, O.F.S.).

*Committee Members* : All Chiefs ex-officio, and

(a) Natal: Rev. J. L. Dube (Phoenix).  
Rev. A. S. Mtimkulu (Durban).  
W. W. Ndlovu (Vryheid).  
A. W. G. Champion (Durban).  
J. Kambule (Ladysmith).

(b) O.F.S.: C. R. Moikangoa (Bloemfontein).  
Keable Mote (Kroonstad).  
R. A. Sello (Kroonstad).  
R. Cingo, B.A. (Kroonstad).  
T. M. Mapikele (Bloemfontein).

(c) Transvaal: R. V. Selope Thema (Johannesburg)  
L. T. Mvabaza

P. A. M. Bell (Johannesburg)

T. D. Mveli Skota „

E. T. Mofutsanyane (Pretoria).

(d) Cape : Rev. Z. R. Mahabane (Kimberley).

C. K. Sakwe (Idutywa).

Alex. M. Jabavu (King William's Town).

J. M. Dippa (Port Elizabeth).

P. Mama (Cape Town).

2. *Franchise Committee* : A. M. Jabavu (Convener),  
C. K. Sakwe, R. H. Godlo, J. S. Mazwi, J. M. Dippa,  
Ch. Jer. Moshesh, L. G. E. Bam, Z. R. Mahabane, Dr.  
Molema, Rev. A. Mtinkulu, Rev. E. Mdolomba, Dr.  
Xuma, T. M. Makapela, Ch. H. Bikitsha, A. W. G.  
Champion.

3. *Land Committee* : Ch. W. Kumalo (Convener),  
Dr. Moroka, Dr. Seme, Ch. C. Mopeli, L. T. Mvabaza,  
P. A. Bell, A. Mazingi, W. M. Ndlovu, Rev. J. L. Dube,  
T. Poswayo, P. T. Xabanisa, J. Madupuna, H. Msimang,  
Dr. Moroka, W. P. Mlandu, J. Marks.

4. *Council Committee* : E. C. Bam (Convener), G.  
Dana, M. Balfour, H. Ntintili, Rev. R. M. Tunzi, N. S. P.  
Matseko, S. D. Ngcobo, J. Mpanza, Ch. I. Mgudlwa,  
S. P. Mqubuli, Rev. J. Likhong, C. Moikangoa, Tsala,  
Kambule, G. Dana, Tsoai, Motshabi, Lebere, Molaltou,  
Ramailane.

The Convention was officially opened at 9.30 a.m. by His Worship the Mayor of Bloemfontein, Mr. A. C. White, who, after welcoming the delegates to Bloemfontein, expressed the hope that they would find time to inspect the amenities offered to the Natives of Bloemfontein's locations. He referred to the seven schools in the location, the Y.M.C.A., the thirty churches and the bioscope. He told

of the Town Council's decision to spend £1,000 on a new Native dispensary, and £20,000 on the improvement of the sanitary conditions of the locations and the negotiations now in progress between the Town Council and the Provincial Administration for the allocation of £20,000 to be used for the erection of new schools in the locations.

Discussing Native legislation, the Mayor reviewed the various measures of the past, and referred to the present Native Bills. The Parliamentary Representation Bill, he said, aimed at providing better consultative or advisory machinery and to ensure that Native opinion would be better heard by those in authority.

### **Advance of the Bantu People.**

Nothing in this world was final, said Mr. White, in exhorting the Natives to take what was offered. As time went on, he said, new conditions would arise and new measures would have to be adopted. Progress was step by step. In the past hundred years there had been a greater proportional advance in the history of the Bantu people than.

In a brief address to the delegates, Mr. J. R. Cooper, superintendent of Bloemfontein's Native Administration Department, who had been called on by the Chairman and described as the most popular location superintendent in the Union, expressed the opinion that the failure to administer Native affairs with satisfactory success in some centres could be attributed to three facts : (a) A need for machinery to enable consultation and co-operation between the location inhabitants and the local authorities ; (b) the fact that many location inhabitants did not take a lively interest in their own welfare ; (c) the absence of support for the

members of the Native Advisory Board after their election.

### **Object of the Convention Explained.**

Thanking the Mayor and Mr. Cooper, Professor Jabavu said that the delegates to this, the most representative convention of Natives in the history of South Africa, had not come on a joyful errand, but "with sorrow deeply embedded in our hearts."

The tendency today was to enforce legislation on the Natives without consulting them as citizens of the Union. The object of the convention was to give expression to Native opinion and to show the need for consulting it. Members of Parliament, sitting in comfortable chairs in Parliament, thought of the Natives only in connection with matters such as the vote and other theoretical things and ignored the economic straits into which the Natives had fallen and their famines and hardships. The convention was intended to show that the Native was sufficiently developed and educated to be worthy of consultation on matters affecting his own well being and existence.

### **Professor Jabavu's Address.**

The convention got down to business in the afternoon when Professor Jabavu gave his address from the chair. He said:—

Ladies and Gentlemen. This is an historical gathering, the biggest representative African concourse that has ever met in South Africa between the extremes of Kuru-man, Messina, Swaziland, Durban and Cape Town.

There is something in this country that the White men call a "Native Question." Why they call it a question I do not know, for I take it we all belong to South Africa

and are eager to do, give of our best, and achieve our highest aspirations for the good of South Africa. We share South Africa with the Whites as partners and we are the junior partners. It is the duty of the White people as senior partners, out of *noblesse oblige*, to help us smaller partners upwards. We realise that it is not possible nor thinkable for us to settle any differences in policy by fighting with weapons. But we have the weapon of free speech, and unless we make use of it, the Government will never know what we want. The Government officials have consulted the opinion of our people lately on these Bills in five regional conferences and in a number of smaller ones to suit their own desires. I can prove that if called upon. The 1920 Native Affairs Act was meant to be the instrument for consulting us each year, the definite promise to that effect being made in 1923, but during the last thirteen years that conference was summoned only six times, and it has been a dead letter for five years now. It is therefore becoming more and more difficult for us to know which law the Government intends to observe and which it intends to disregard where the subject is that of consulting us. It has spent ten years drafting and re-drafting these Bills, hatched them last May, and announced that these would be introduced in Parliament straight away. It was not giving us a fair opportunity to study the Bills. It is quite apparent the Government do not wish to give us any opportunity of consultation, or, if any, only a perfunctory minimum of consultation. The Black race has passed the stage where it can be made to swallow anything given by legislators and enjoy it with gusto. The Black race was developing fast intellectually. There are Black men to-day fully capable of

sitting and representing their people in the House of Assembly. Why are they not allowed to sit there?

In all professions in this country Black men and women can be found who carry themselves with seemly professional decorum as do people of other races.

The Native Bills do not open a way to the Natives by which they may reach the top of citizenship through any given terms or qualifications of self-improvement. In these Bills no path is offered by which we may travel to full blown citizenship through either education or wealth. These Bills might be adequate for a completely illiterate people, for people who are stupid and ignorant, for people who are not going to advance.

The Bantu people know what justice is by nature and tradition, without having to be taught. They know what is just and what is unjust in these Bills.

We have obtained a statement purporting to give the underlying motives of these Bills from a gentleman, an Englishman, who had been the guiding spirit of the present Bills and one who had served on the Native Affairs Select Committee for ten years. (See my book *Native Views on the Native Bills* for a full examination of this statement). He says that the object of these Bills is to shunt the Natives from all civilised spheres back to tribal life and to a purely agricultural economy, because the Native is an apple of discord in European politics. He says the Black race must be regarded as a child race, and as such should be ruled under a system of trusteeship. It is therefore manifest that these Bills were framed on the assumed basis that the Black race is a race of children who will continue to be children for all time. (Cries of "Never.") It will be the duty of this conference to demonstrate that

this is a false assumption. We have here among us medical men for whom no apology is needed, men qualified in Glasgow, Buda-Pest and Edinburgh, who have saved the lives of numerous Whites in this country. These Bills hold out no hope of citizenship for such men. We have others able to save and serve South Africa in other ways, but in these Bills there are no outlets provided for them to partake in the Government of the country of their birth. At this convention, I hope, an unmistakable expression of Bantu opinion will be given. (Cheers).

#### A Cable from Moscow.

On the conclusion of this address, some telegrams were read to the convention, loud applause being evoked by one from Moscow exhorting the Natives of South Africa to set about their historic task and assist in the struggle of the Negro peoples against exploitation and oppression.

The following submitted as an unopposed motion by Mr. Keable Mote (Kroonstad), was carried: "This convention vigorously protests against the predatory war carried on by Fascist Italy against the relatively unarmed Abyssinian people, and pledges itself to do all in its power to support Abyssinia in her gallant and heroic struggle against the Italian invasion. Further, the convention calls upon the League to impose all sanctions, even up to the point of forming a military bloc against the aggressive Fascist Italy. The convention feels that the present war may serve as a prelude to an Imperialist world war. Thus it appeals to the Africans to realise the imminence of a world war, and to do all they can to struggle against such a danger."

The Rev. John Dube (Natal) said that the Natives of

South Africa were passing through a crisis. These Bills were supposed to be the basis of the Government's policy towards the Natives. They were thus of vital importance. In Natal the Natives had passed a resolution urging that their introduction should be deferred, pending their being submitted to a national Native council for full consideration. It had taken a Select Committee of Parliament eight to nine years to come to its recommendations; the Natives were being given only three months to consider them. On that Select Committee no Bantu had served.

He trusted that the convention would not be productive of inflammatory oratory, and that the best brains would be used in drafting its resolutions.

#### All Non-Europeans should Stand Together.

Mr. T. McLeod, (Kimberley) vice-chairman of the African People's Organisation, said that all the non-Europeans should stand together, whether Bantu or Coloured. Both had their rights restricted. It had been said that the Government was trying to improve the lot of the non-Europeans. And yet the Government proposed taking away the franchise from the Coloured. He challenged the wisdom of this action, and claimed that the best parliamentarians in the Union had come from constituencies in which the Coloured people had the vote—men who had been elected by Europeans and non-Europeans together. Recent events—for instance, the recent congress of the United Party in Port Elizabeth—had shown that it was unwise to put one's faith in other people. The time had come for the Black people of Africa to stand together and act for themselves.

In the continent of Africa, Britain owned 4,364,000



square miles, France 4,200,000, Belgium 390,000, Portugal 788,000 and Italy 650,000. In contrast, efforts were being made to deprive Abyssinia of her land—and she possessed only 350,000 square miles. In South Africa the Natives held only 15 per cent. of the land.

### **The Franchise.**

The Rev. Z. R. Mahabane (Kimberley) said that while some Natives were concerned about the land question, others were concerned about the franchise, for the Bill in this connection was a challenge to the non-European. It was a declaration that the Black man had no status in the political organisation of the land of his forefathers, in the land of his permanent domicile. The formula laid down by the South African Dutch republics was the formula now being introduced, namely, that there should be no equality between Black and White in the Church or in the State. It was diametrically opposed to that of the Cape Province, which stood for equality of rights for all civilised people.

Black South Africa's answer to that challenge must be an emphatic "no."

### **Right of Partnership in Management of Country.**

The Natives must not be reduced to a position of political inferiority. As permanent inhabitants who had made their contributions to the general welfare and progress of the country, they claimed the right of partnership in the management of the affairs of the country and in determining and shaping its course. Otherwise the Natives would have to raise the cry of the American colonists: "No taxation without representation."

The European vote had been strengthened by the granting of the franchise to women—and now the Native was to be disfranchised. By what right did the White man claim to rule the Native, unless it was by the out-of-date doctrine of the divine right of kings reincarnated as the divine right of the White man? He hoped the convention would claim Cecil Rhodes's policy of equal rights for all civilised men, irrespective of colour, and the doctrine of no government without the consent of the governed.

#### **Non-European Women who are fit to Vote.**

Dr. A. B. Xuma (Johannesburg) said that in the northern provinces of the Union there had been manhood suffrage, limited to Europeans, for some years, whereas in the Cape there had been manhood suffrage irrespective of colour. In 1930-1931 the franchise had been given to European women, but not to the non-European women in the Cape. He desired to show that there were non-European women quite fit to have the vote and called on Mrs. Charlotte Maxeke, B.Sc. (Cape Province), "the mother of African freedom in this country," to speak.

Describing the convention as a wonder conference, Mrs. Maxeke drew attention to it being representative not only of the various parts of the country, but of the two sexes. The non-Europeans were uniting because something was threatening their very lives. The Natives had no other country to which they could go.

The figures quoted by Mr. McLeod had made her think how few were the number of acres possessed by the Africans. But there was hope. There were Africans who had taken the reins in leading their people. With the support they deserved, they would win.

### Have to go ahead Themselves.

The non-Europeans, while thanking their European friends for their support, had to go ahead themselves. The Natives were not a peculiar people who had to be carried on the backs of others for ever. They had to be helped to help themselves. They would have to give their all so that the Europeans could realise that the Natives were here.

She reminded them of the saying *Eendrag Maak Mag* (Unity is Strength) and exhorted the Natives to live up to it.

On this note, the convention adjourned until Tuesday.

For three days the committees on Resolutions worked twelve hours a day right into midnight of each day, while the draughtsmen and typists worked without cessation.

Monday evening, for the unemployed delegates, was devoted to a grand reception function organised by Mr. T. M. Mapikela and his local hospitality committee.

On Tuesday morning the President called upon the Convention to discuss the Franchise question in the light of the Bills and the draft resolution tendered by the Committee on the Native Representation Bill. The following took part in the illuminating debate:—Nduma, L. Mtinkulu, S. Ncwana, D. Akena, Coka, Akena, Somtunzi, Crutse, Champion, Matseke, Marks, Mapikela, Godlo, Xabanisa, Tunzi, Godlo, Leshoai, I. B. Mbelle, Dr. Gool, Mashologu, Mokgeledi, Finca, Ramutla, Radehe, Leepilo, Mofutsanyane, Moroe, Nkopo, Dr. Seme, Siyo.

The following is a selection from the speeches delivered:

Mr. S. P. Matseke contended that at the Treaty of Vereeniging the assurance had been given that the question

of granting the franchise to the Natives of the Free State, Natal and the Transvaal would be considered after South Africa had obtained responsible government. But nothing had been done to implement that promise. Even in the Cape, where non-Europeans had the vote, they had been deprived of their right, for it had been laid down in the South Africa Act that members of Parliament had to be of European descent.

### Deprived of their Rights.

Mr. T. M. Mapikela (Bloemfontein) said that no promise had been given at the Treaty of Vereeniging, though it had been said that the matter should be left to the South African Government. The Natives had been deprived of all their rights by the Act of 1909, when they had not raised a voice in protest. They had been defeated, and they should now make a big bid to obtain the rights they wanted.

Mr. G. G. Coka (Johannesburg) said that Natives were being robbed of rights they had possessed for 80 or 90 years. The Government policy was Imperialism—to keep the Natives in slavery by giving authority to reactionary chiefs. It was nothing but open bribery. He wanted the chiefs to know one thing. If they were going to serve their people they must throw aside these gifts. If they were not going to work for their people they had to be the good boys and lackeys of the Whites. The granting of representation to the Natives in the Senate was a sop. It was the duty of the chiefs, if they wished to do their people good, to organise and struggle to secure the franchise for the Native people.

Mr. S. P. Akena (Cradock) said that the object in trans-

ferring Native representation from the House of Assembly to the Senate had been to enable the Europeans to present a united front, which meant that trouble was brewing for the Natives. Another instance of this had been the two great White parties—the South African and National Parties—had come together in Fusion.

### **Obstacles put in way of Natives.**

As evidence of the obstacles put in the way of the Natives, Mr. P. T. Xabanisa (Idutywa) said that in 1852 the qualification for the Native voter in the Cape had been the ownership of a house worth £25. Subsequently this was increased to £50 and then to £75. The Natives had worked and sold their stock to build such houses.

The Rev. R. M. Tunzi (Kokstad) said that the Natives should not have to go on bended knees for what they were entitled to. They should have equal rights in this country.

Mr. B. S. Ncwana (Port Elizabeth) said he also wanted to register his protest against a policy of permanent retrogression. Some people seemed to think that there was something in the council system of representation. Such a system was operative in the Cape Province, but it excluded the thousands of Natives in the urban areas. What hope, therefore, had the urban Natives in the northern provinces in the Government's council system?

### **No substitute for Right of Citizenship.**

Mr. R. H. Godlo (East London) said that there could be no substitute for the right of citizenship. On it there could be no compromise. The franchise, he contended, had been virtually conferred on the Natives under the fiftieth ordinance of the Cape, 1828, which had granted the Natives a legal and economic status. The Natives

should tell the Government they were not prepared to compromise on the franchise.

It was not satisfactory, Mr. Godlo said, to give the Natives a separate franchise and separate representation. That would still debar them from the rights of citizenship.

#### Would never be able to swamp White Man.

Mr. I. B. Mbelle (Pretoria) declared that in 1926 General Smuts had said that if the Natives of the Cape were deprived of the vote, it would be a direct violation of the constitution. General Smuts had also said that no change should affect those already registered as voters. The Natives, if given the vote, would never be able to swamp the White man, because the White man and the White woman both had the vote.

Dr. G. H. Gool, an Indian of Cape Town, said that in the Cape the colour bar had been smashed and it was up to the Convention to smash the colour bar in the rest of the Union. The Cape delegates were not present to discuss the Native Bills, but to reject them *in toto* and lay the foundations of a national liberation movement to fight against all the repressive laws of South Africa. The position of the Bantu people in South Africa was like that of the worker in Britain during the industrial revolution when, in 1832, the workers were deprived of their vote. It took the workers many years to regain that vote.

#### Cape Vote not the Franchise.

Mr. B. Mashologu (Basutoland) contended that the Cape vote was not the franchise, for the Natives there could not send the people they wanted to Parliament, but were bound to send European candidates selected by other people. No race could be adequately represented by

another. The Cape Natives had the shadow but not the substance.

Mr. J. Marx (Johannesburg) said it was time that a halt was called to the blundering exploitation of the Natives. The time had arrived for the consolidation of the African people against their offenders. The present policy of subordinating the Natives and chiefs was bound to end in bloodshed. An active policy should be adopted by the Natives, who should refuse to pay taxes until their rights were recognised.

### **Condemned.**

The resolution was then submitted to the convention—and unanimously passed.

On Wednesday the Council and Land Bills were discussed and resolutions thereon adopted.

Among those who took part on the debates were:—  
Selby Msimang, Sello, Mrs. Bholo, Mqubuli, Zwide, Mpinda, Mashologu, Mahlangu, Skweyiya, Rahomance, Mahabane, Hovdemaker, Radebe, Gomas, and Mokgeledi.

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### **CLOSING CEREMONIES.**

In the evening numerous votes of thanks were proposed and passed.

#### **Behaved like Ladies and Gentlemen of Africa.**

In bidding the delegates farewell, the vice-chairman, Dr. Xuma, said that the Bantu had reached a higher stage of civilisation than most people realised. At this session of the convention they had retained their dignity, which was a tradition of the African people. They had behaved as ladies and gentlemen of Africa and true sons and daughters of the soil. More august bodies had not

behaved so well when faced with such grave circumstances. He thanked the delegates for their decorum.

Votes of thanks were passed to the Chairman and all the office-bearers ; all the committees ; to Mr. Mapikela and the local committee that organised the boarding and lodging arrangements ; all helpers ; the Bantu Press ; the local Press, especially the Reuter service ; and everyone else concerned.

The Convention came to a close with the singing of the Bantu National Anthem *Nkosi Sikelel i-Afrika* (God Bless Africa).



## DRAFT CONSTITUTION.

1. *Name.* The name of this organisation shall be the All African Convention.
2. *Composition.* The Convention shall be composed of accredited delegates of African organisations duly registered with the General Secretary. The quorum of a Convention meeting shall be fifty members.
3. *Membership.* The members of the Executive Committee and the accredited delegates shall be the voting members of the Convention.
4. *Objects.* The objects of the Convention shall be
  - (a) To act in unity in approaching the Government or other authorities on matters affecting the welfare of Africans.
  - (b) To advance the economic interests of the African peoples.
  - (c) To employ constitutional means in all its affairs.
5. *Officers.* The officers of the Convention shall be (a) The President, (b) The Vice-President, (c) Provincial Vice-Presidents, one for each Province or registered Protectorate, (d) The General Secretary, (e) The Recording Secretary, (f) Two Clerk Draftsmen, (g) The Treasurer (who must be an individual possessing unencumbered immovable property), (h) All African Chiefs ex-officio, (i) Five committee members for each Province or registered Protectorate.

These shall constitute the Executive Committee, with a quorum of ten inclusive of the President or Vice-Presidents and the General Secretary or Recording Secretary.
6. *Election.* The officers shall be elected at each meet-

ing of the Convention, and shall be eligible for re-election.

7. *Term of Office.* The officers shall hold their positions for five years.
8. *Vacancies.* The Executive Committee shall be competent to fill any vacancy occurring during the interim pending Convention approval.
9. *Finance.* (a) The general fund of the Convention shall be made up of public collections of shilling subscriptions up to a maximum of five million shillings. (b) All subscription lists shall bear the Convention rubber stamp imprimatur and the President's signature. (c) All Convention moneys shall be deposited with the Treasurer. (d) The Treasurer shall bank all Convention funds in an account styled "The All Africa Convention." (e) All cheques in favour of the Convention funds should be crossed "All Africa Convention." (f) All disbursements from the Convention funds or cheque payments must be signed by the Treasurer, the General Secretary and the President. (g) All payments must be approved of by the Executive Committee. (h) The travelling expenses of the President, the Vice-President, the General Secretary, the Recording Secretary and the Treasurer shall be paid out of the Convention treasury when funds permit.
10. *Conferences.* The Convention will ordinarily meet once in five years but may meet at any other time when the Executive Committee deems it necessary so to summon it.
11. *Venue.* The venue of the Convention shall be

Bloemfontein unless the Executive Committee or the Convention itself specially decides otherwise.

12. *Amendments.* This Constitution may be amended at any Convention meeting by a three-fourth's vote of members in session, provided that previous notice of such amendment had been published in the Bantu Press weekly newspapers ten months prior to the Convention meeting at which such amendment is to be registered.

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### DELEGATES.

The local committee of arrangements is still making up the complete list of delegates. For the time being we publish here those names we obtained by chance, in the hope that those whose names are missing will write and give us their addresses in view of a second edition of this book.

Approximately six hundred applied for accommodation, and four hundred actually turned up, in the following proportions:—one from Swaziland, ten from Basutoland, thirty from Natal, seventy from the Orange Free State, a hundred from the Transvaal, and two hundred from the Cape.

(1) *Swaziland.* J. Nxumalo (representing the Paramount Chief).

(2) *Basutoland.* Z. D. Mangoaela; R. S. Mohapeloa; E. J. Malakane; A. Mote; O. Thokoa; I. Motsoane; R. Mokase; E. Makhethla; K. Moeletsi; J. Mavundla.

(3) *Natal.* Chief W. Kumalo; J. L. Dube; J. Kambule; N. Pongwana; S. Ngcobo, B.A.; Abner Mtimkulu; W. W. Ndlovu; A. Mazingi; C. Mapumulo;

J. Keswa ; N. M. Nduli ; A. W. G. Champion ; Manasseh Moerane, B.A. ; D. Moshe ; Chief S. Mini ; Z. K. Matthews, M.A., LL.B. ; J. Nhlapo ; Selby Msimang ; Mrs. W. Sebeta.

(4) *O.F.S.* Chief Charles Mopeli ; Headman T. M. Mapikela ; J. Pahlana ; C. R. Moikangoa ; Keable Mote ; F. Mbanyane ; S. Plaatje ; J. J. Nhlapo ; R. Cingo, B.A. ; N. Motshumi ; B. Majodina ; J. Motshumi ; T. P. Tshabangu ; P. Rakeloane ; F. Monyaneng ; A. Nkabinde ; F. Molete ; A. Malefane ; W. Dingaan ; D. Ntoane ; D. Mophosho ; J. Thabise ; J. Motlakaneng ; J. Mpolongwane, M. M. Lesueng ; E. K. Nhlapo ; M. Mpinda ; R. A. Sello ; R. Mapasa ; J. Kanyane ; J. Motsoai ; A. Lebere ; J. Pusho ; J. Tsoletsi ; J. Lefothelo ; Mojake ; Semai ; J. Mancoe ; Moshodi ; Chief Moloji ; Ramorara ; Molatlou ; Mosese ; Momezulu ; R. Rathebe ; R. Nane ; S. Crutse ; Letsie ; Mbunda ; Mokone ; H. K. Binda ; A. Leeuw ; I. B. Moroe ; P. Rampou ; Chief W. Sole ; A. Skosana ; J. Moloji ; C. L. Odendaal ; Moletsane ; Sefothelo ; Ch. Mokuena Tsoletsi ; J. Qokoane ; Z. Moloji ; V. Nhlapo ; S. M. Magasela ; D. Msimang ; A. Moloji ; K. Mabosa ; S. Leshoi ; S. B. Dichaba ; S. Moiloa ; A. R. Mokone ; Mrs. E. Mononi ; Mrs. S. Morake ; J. Chadfield ; N. Nkohlakoane ; Dr. J. S. Moroka, M.B., Ch.B. ; Mrs. J. S. Moroka.

(5) *Transvaal.* R. V. Selope Thema ; L. T. Mvabaza ; E. Mdolomba ; H. Selby Msimang ; Mrs. E. Mahuma-Morake, M.A. ; Mrs. C. Maxeke, B.Sc. ; Chief Mabe ; Chief Frank Mogale ; Crutse ; Daniel ; T. Ditshego ; J. Ramailane ; S. P. Mqubuli ; Mrs. S. P. Mqubuli ; Dr. A. B. Xuma, M.D., L.R.C.P., L.R.C.S. ; Dr. P. K. Seme, B.A. ; J. S. Mahlangu ; I. Bud-Mbelle ; D. Hlabangana ;

P. Ramutla ; P. A. M. Bell ; J. Merafe ; M. W. Somtunzi ;  
D. Ntsala ; Baloi ; S. P. Matseke ; Mrs. Smouse ; J.  
Marks ; R. Ngcobo ; P. D. Segale ; E. Mofutsanyane ;  
J. Koma ; G. Radebe ; J. S. Mpanza ; J. Mofokeng ; P.  
Zuma ; B. Mapike ; Miss E. Maganosha ; Mrs. Mohodi ;  
B. Mokgopa ; E. Mele ; J. Ntusi ; Phakoe ; Phororo ; A.  
Matsoso ; Phulo ; E. Mokuena ; L. M. S. Gule ; B. L.  
Mradu ; G. Makabeni ; J. W. Dunjwa ; J. N. Skosana ; D.  
F. Sibeko ; M. B. Moloi ; A. Mbila ; A. Thubisi ; P. Mkweba-  
na ; J. Pitso ; M. Maplanka ; A. Motlakwana ; O. Thuloa-  
na ; J. Jojo ; Ch. Tunzi ; Idaua ; W. Leenaeng ; E. T.  
Mofutsanyane ; J. B. Marks ; M. Cidras ; B. Sebolai ; N.  
Gabashane ; E. E. Sebe ; E. P. Zulu ; J. Gedlane ; E.  
Segale ; E. Kambalani ; D. Sandamela ; B. Ngculu ; J. S.  
Mpanza ; Mrs. Mapika ; Mrs. E. Magabashe ; Mrs.  
Mohale ; B. M. Makgatho ; C. Davies ; E. Pitsoee ; P.  
Thula ; J. Buda ; T. D. Mwelil Skota ; T. P. Mathabathe ;  
E. E. Tshabalala ; H. B. Nyati .

(6) *Cape*. D. D. T. Jabavu ; R. M. Tunzi ; R. H.  
Godlo ; B. B. Xiniwe ; H. T. Mangu ; J. A. Sishuba ; R.  
T. Mona ; C. K. Sakwe ; Chief H. S. E. Bikitsha ; P. T.  
Xabanisa ; L. Mokgeledi ; Mrs. L. Gonya ; M. Mahlasela ;  
S. Kubukeli ; H. Ntintili ; A. Madapuna ; Chief Lupindo ;  
J. Baqwa ; S. Mlauli ; Majake ; W. Dana ; G. Obeda ; P.  
P. Jafta ; J. Siwundla ; Dr. Gool, M.B., Ch.B. ; Miss  
Janub Gool, B.A. ; T. Poswayo ; Wilson W. Jabavu ; J.  
Matshaya ; J. Matlari ; M. M. Balfour ; J. Sixaba ; B.  
Mashologu, B.A. ; J. Mlonzi ; P. Malunga ; Lionel  
Mtimkulu ; E. Chalmers Bam ; J. Coto ; H. Kekane ; P.  
Mama ; J. Mdoana ; E. Skweyiya ; G. G. Magobiyane ;  
J. M. Dippa ; J. Duli ; F. H. M. Zwide ; J. Likhing ; J. N.  
Kate ; Alf. Mejane ; J. Fetsha ; M. Maho ; R. S. Skenjana ;

J. Mafu ; Mahlutshana ; Njokwana ; Mqgomo ; L. G. E. Bam ; Leepile ; Alexander M. Jabavu ; J. Gomas ; J. J. Ntloko ; J. S. Mazwi ; A. Stamper ; M. Mvubu ; Chief Jeremiah Moshesh ; A. Jayiya ; J. Ntlemeza ; R. Ntloko ; Gordon Dana, B.A. ; Chief Langa ; Mrs. M. Bhola ; W. Siyo ; Mrs. R. H. Godlo ; J. S. Mzazi ; H. D. Tyamzashe ; K. Thaele ; B. Mzazi ; C. J. Magxaka ; S. M. B. Ncwana ; E. Tulwana ; J. Ntsebeza ; Menye ; J. Masele ; Mrs. M. E. Tyamzashe ; J. K. Finca ; C. M. Poswa ; W. Mhlauli ; Miss M. T. Soga ; C. Kadakie ; P. Kadakie ; J. Malutu ; W. P. Mlandu ; A. E. John ; T. Maqubela ; R. F. Haya ; C. A. W. Sigila ; A. M. Tloti ; M. Nkopo ; F. Joni ; J. Mokoto ; S. P. Akena ; Melamane ; Chief T. M. Mgudlwa ; Chief H. G. Mgudlwa ; Chief I. Mgudlwa ; Chief B. Mgudlwa ; G. Duli ; G. Mwanda ; M. J. L. Ntombela ; D. Spaing ; Chief M. Kgantlapare ; J. Seretse ; D. Modiakgotla ; P. Shopane ; A. Coto ; J. Nduma ; H. L. Kekane ; J. Malefane ; J. Matt Fredericks ; J. Richards ; E. Calvert ; T. McLeod ; J. Houtmaaker ; Z. J. Mabuya ; Ch. S. Mothubi ; S. M. Pululu ; L. Jebetle ; A. K. Chuenyane ; J. Morake ; C. A. Ntloko ; N. J. Ntloko ; J. P. Mavimbela ; P. S. Kesa ; A. Jafta ; T. Lechudi ; J. Mokgosanyane ; K. T. Motsete, B.D., M.A. (Lond.) ; Dr. M. G. Sishuba, Ph.D. ; Dr. S. M. Molema, M.B., Ch.B. ; Mrs. Moshoele ; Mrs. Motshumi ; Miss Kosani ; Mrs. A. Choen ; Mrs. Motlhodi ; R. Nonyukela ; J. Masebe ; D. Magunga ; P. Ngokwana ; C. P. Matebe ; Mrs. L. Gonya ; W. Malefane ; D. E. Tsenyego ; Chief Joel Langa ; J. Skweyiya ; Chief Leltamoreng Montsioa ; Sub-Chief R. D. Lekoko ; J. Mlomzale ; Miss Phale ; Rev. J. B. Mavimbela ; Dr. F. B. Mdodana, M.A. D.D. ; P. Malefane ; J. Masike ; J. Mondile.

It is noteworthy that the delegates included six graduates from the University of South Africa, six from the United States of America, one from the University of Buda-Pest, one from Glasgow, two from Edinburgh, and two from the University of London.

### ORGANISATIONS OR COMMUNITIES REPRESENTED.

Vigilance Association, Port Elizabeth.  
Cape Native Voters' Convention.  
O.F.S. United I.C.U.  
African Reef Traders Association, Johannesburg.  
Ladysmith, Natal; Orlando; Vereeniging; Randfontein;  
Lindley.  
Natal Native Congress.  
Western Native Township Co-operative Society.  
Basutoland Teachers' Association.  
Cape African Congress.  
Basutoland Progressive Association.  
Kimberley Voters' Association.  
Port Alfred Voters' Association.  
South African Native Farmers' Congress (Forty Branches)  
African Ministers' Association.  
Inter-Denominational Ministers' Association.  
Clothing Workers' Union, Johannesburg.  
Ikaka laba Sebenzi, Johannesburg.  
Kgotla laDipolase, Potgietersrust.  
African Dingaka Association.  
Piet Retief Landowners Association.  
Advisory Boards.  
A.M.E. Church.  
Joint Councils.

Transvaal Congress.  
Kubusie Farmers Union.  
Pimville Traders' Commercial Union.  
Ciskei Native Chiefs' Convention.  
Pimville Women's League.  
Transkei Native Chiefs' Association.  
Cathcart Voters' Union.  
Transkei Vigilance Association.  
Communist Party, Cape Town.  
African Political Organisation.  
I.C.U. Yase Natal.  
Communist Party, Johannesburg.  
Cape I.C.U.  
International Labour Defence, Cape Town.  
Willowvale ; Taungs ; Kuruman ; Villiers ; Rustenburg ;  
Zeerust ; Burghersdorp ; Pretoria A.D.A. ; Middleburg ;  
Harrismith ; Heilbron ; Reitz ; Ventersdorp ; Beaufort  
West ; Matatiele ; Naauwpoort ; Standerton ; Bothaville.  
African Motor Drivers' Union.  
Transvaal African Teachers' Association.  
African Women's Self-Improvement Society.  
The Athlone Blind School.  
Natal Catholic Farmers' Union.  
Graaff Reinet Vigilance Association.



## THE FUTURE OF THE NATIVE. Dangers of "Political Disarmament"

### Breeding Ground for Agitators.

By Sir James Rose-Innes  
(in the *Cape Argus*).

The exposition of the Native Bills, recently issued by the Minister of Native Affairs, is a startling pronouncement to come from the official "Father" of the Bantu people. The importance of the subject justifies some criticism. The kernel of the policy is, of course, the abolition of the Cape Native franchise; failure on that point would bring down the whole structure like a house of cards.

When General Hertzog introduced his Bills in 1927 he based the policy of abolition on the necessity of preserving Western civilisation, and upholding White supremacy. We were in danger, he urged, of being swamped by the Native vote. The total electorate of the Union was at that time roundly 341,000, of whom 16,000 were Natives. Since 1927 the franchise has been extended to White adults throughout the Union. The figures, after the registration of 1933, were 922,000, of whom only 10,700 were Natives. a ratio of well under 2 per cent. (I take my figures from the official journal of the South African Institute of Race Relations).

In face of that ratio the argument of danger to White supremacy sounds rather thin. The proposed inroad upon old-established rights is now advocated as essential to political segregation, that *ignis fatuus* which is luring some of our statesmen down perilous paths. If we take

the long view, we shall see that the future of our young nation stands in jeopardy, not from the admission of civilised Natives to our franchise, but from their exclusion. To quote the words of an eloquent speaker (Rev. Dr. Douglas) to a Cape Town audience, "The only danger to our European civilisation is that we be unworthy of it."

#### Levelling Down.

The Minister is inclined to base the policy of abolition on both grounds, with special reliance on the second. The object of the Representation Bill, he explains, is to separate the White from the Black electorate, and thus remove the possibility of political friction. It will, he adds, establish a uniform political status for the Native throughout the Union. No doubt it will; but by a process of levelling down, not of levelling up. The Native Africans in the Cape have enjoyed their electoral privileges for eighty years. Why are they to be forcibly despoiled? If the present qualification operative against non-Europeans is an insufficient test of civilisation, let it be raised.

It is not alleged—nor could it be—that as a class they have abused their privilege. They have not been disloyal; on the contrary they have submitted with exemplary patience to legislation and treatment harshly differential. Nor have they been guilty of treason or rebellion. To disfranchise them *en masse* is a step for which there is no precedent in history, to which constitutional practice gives no countenance, and which runs counter to the trend of civilised world opinion. Yet it is insisted upon because while the Cape Native vote remains, political segregation is impossible.

Under the new policy the Natives are to be taxed and governed without any representation in the only House

that matters; they are to be for ever barred from full citizenship in their own country, to be permanently relegated to an inferior position and to be treated as a section of the community whose interests are distinct and separate from those of the Union as a whole. The vote is to be taken from the Cape Native, and the hope of obtaining it from the Bantu race, in order that this inviting prospect may be realised.

But an attempt is made to sugar the pill; they are offered something in return. The Minister points out that they are to have their views represented by Senators elected by themselves. He did not explain the method of election, and at the risk of being tedious, the process must be described.

#### **"Fascist Flavour."**

The Union is divided into four areas in each of which an electoral college is constituted. One European Senator for each area is to be chosen by the college of that area. The Native members of the Transkeian General Council form the electoral college for the Transkei, and they may elect their Senator by ordinary ballot. In the other three areas the electoral colleges are made up of chiefs, headmen, Native members of local councils, members of Native reserve boards of management, and Native members of advisory boards in urban areas.

The vote of each unit in this medley represents the number of tax-paying or tax-exempted Natives within the territorial limits of its authority. They are "to be cast collectively and individually" for the same candidate, and where there are more than two candidates, for the same order of preference among the remainder. So that the chief, headman or chairman, as the case may be, will be

able to give wholesale support to his own views or the views of the majority of his council or board. Here surely is plumping on a colossal scale. Not only is there no record of dissent, but the votes of any would-be dissentients are compulsorily reversed.

The only function of the ordinary man will be to swell the number by which the vote of his chief, headman or other unit is to be multiplied. There is a full-blooded Fascist flavour about the proceeding, which is out of place in a system professedly democratic. And, whether by accident or design, it is specially unfair to the Native intelligentsia. The tribal Native may be content, for the present, that his new vote should be manipulated by his chiefs. But what about the ministers of religion, the teachers, the members of professions, the men educated at Lovedale and similar institutions, the graduates of Fort Hare? To them the new proposals are intolerable.

The Cape educated Native will never willingly exchange the franchise he at present enjoys for the truncated electoral rights offered in substitution. Not only does he realise the value of the vote to himself, but he feels that he is a trustee for his less fortunate brethren.

#### **A Dangerous Doctrine.**

One is tired of hearing the doctrine of trusteeship expounded by self-styled trustees who are keenly interested in the subject matter, and who are anxious to impose upon the beneficiaries conditions which the latter reject. A trustee is required to have a single eye, for the interests of those to whom he stands in a fiduciary relationship, and allow no self-interest to deflect his gaze. A dangerous doctrine to be used by advocates of repression.

But the Cape Native may properly regard himself as a trustee for his voteless compatriots. In his case there is no clash of conflicting interests, in striving to preserve his present rights he is helping to improve their future prospects. And they realise that. The flair of the Native for politics, his capacity for appraising political values, is strikingly shown by the repeated refusal of the northern Bantu to accept an improvement in their own position at the expense of the Cape Native franchise.

The proposal to include educated Natives in a communal roll, and to have their votes decided for them by an irresponsible authority, is fraught with grave consequences. For the men thus dealt with are the leaders of Native opinion. Some of them have tasted political liberty, the remainder have cherished it as a stimulating ideal. How can they be expected to sit down under such treatment? We shall be breeding agitators, filled with a well-founded sense of grievance against the White man.

"The Bantu will never cease to agitate until they have finally secured the franchise right," declared Professor Jabavu when interviewed by a Natal paper. The professor is a moderate man, but a struggle of that nature is apt to develop along lines which are not moderate, and to entail tragic consequences for both races. The possibility of political friction which alarms the Minister is a trifling danger compared with the certainty of political strife which his policy involves.

#### Suitable Men Excluded.

So much for the voting, now for the result. One would have thought that as the men massed behind the electoral units were all Natives, they might have been allowed to choose men of their own race. But the Bill

stipulates that the new Senators shall be Europeans with the ordinary property qualifications and with a further residential qualification of two years within the Province. These provisions are unfortunate, for they may exclude men specially suitable, but, comparing the new system with the old, the real misfortune is that the Native representation must be in the Upper House.

There are four Senators already nominated by the Governor-General because of their acquaintance "with the reasonable needs and wishes of the Coloured races." His choice—made under the advice of the Minister and others—has not been restricted by considerations of property or provincial residence, but it could not be seriously contended that the experiment has been a success. The Natives do not think so. "The Natives do not want more representation in the Senate," said a prominent leader of Bantu opinion on a recent occasion, "they already have four members, and they see nothing of them. These men remained silent when the colour bar legislation was introduced."

The elected Senators would be more amenable to Native opinion, though to what extent it is impossible to predict. The nominees of chiefs and headmen themselves dependant upon the Government for their positions, will tend to be Government men. But in any event they will be members of a Chamber which possesses the trappings, but not the reality of power. The Assembly holds the purse strings and wields the decisive authority which that implies. The Senate may not originate money bills, or impose taxation, nor may it amend Bills so as to produce that effect; and its rejection or amendment of any Bill is subject to reversal at a joint sitting of both Houses.

## "A Constitutional Scandal."

In these respects it occupies a position of relatively minor importance. And its status has been seriously affected by ministerial policy. The process is familiar. The Senate assembles formally after the opening of Parliament, but soon adjourns for lack of work ; it meets spasmodically thereafter, until the end of the Session is in sight. It then functions, under Government pressure, at a rate which makes due consideration of the subject matter impossible. Globular millions are voted, and important measures are passed without any adequate discussion. The procedure is becoming a constitutional scandal. Small wonder that the Native leaders consider four Senators inadequate. General Hertzog's Bill of 1927 was more liberal, for it contemplated seven special representatives of Natives in the Assembly.

The Native Representative Council which it is proposed to create was described by the Minister as giving the Natives "a voice in the discussion of their own affairs which they have never had." A modicum of exaggeration is pardonable in the case of an advocate of this Bill when dealing with one of its few satisfactory features. But in point of fact machinery is already in existence by which conferences of chiefs, members of local Councils and delegates from other Native associations may be summoned for discussing measures which affect Native interests (Act 23/1920 S.6).

That machinery has not been used as freely as it might have been, for few Governments take kindly to criticism. And the chief merit of the new proposal is that the summoning of the Representative Council prior to every Parliamentary session is made compulsory, that Bills or

draft Ordinances and also estimates of proposed expenditure which specially affect the interest of Natives must timeously be submitted to it for discussion, and that its report must be laid upon the tables of both Houses and where necessary on the table of any Provincial Council concerned. Finally it may when once summoned discuss matters within its functions which have not been referred to it.

#### A Safety Valve.

In these respects the Bill notably improves the existing consultative machinery. The composition of the Council is open to criticism on certain points, but into these I do not now propose to enter. It should form a useful safety valve for Native feeling and a convenient channel for the expression of Native opinion. But its functions are purely advisory; it has not a shred of administrative or legislative authority. Its usefulness will depend largely upon the spirit in which its advice is received. But when one remembers how often Ministers and legislators have sinned against the light in the past, how true it is that the vote is the only constitutional weapon by which a subject race or class can protect itself from oppression—then it is impossible to be optimistic. We can at most “faintly trust the larger hope.”

The Minister made no reference to the provision for the election of two members to the Cape Provincial Council, one for the Transkei and the other for the remainder of the Province. Under these circumstances there is no need to discuss the matter.

#### A Parallel.

The abolition of the Cape Native vote is a measure of political disarmament. As such, it recalls to my mind a



military disarmament undertaken by the Cape Government more than half a century ago. The parallelism is remarkable. In those days the reserves were not as crowded as they are now. It was necessary to induce the Natives to come out and work on the railway lines and the diamond mines, which were in course of construction and development. The most potent inducement was the opportunity of obtaining firearms. And this was dangled before their eyes with the consent and assistance of the Government.

I speak of what I know. As a clerk in the Native Affairs Department I saw numbers of officially signed certificates testifying that the bearers were fit and proper persons to have guns. The signatory had no personal knowledge of the men, but they had come down to the railways on the understanding that they should have guns, and they got them.

Substantially the same process went on at Kimberley.

Suddenly the Government (not the Ministry which had facilitated the purchase of firearms, but its successors) discovered that there were too many guns in Natives hands. Instead of drastically restricting the supply of ammunition, it was resolved to take away the guns. Then, as now, it was sought to sugar the pill, the Natives were to be compensated by payment of the assessed value of the arms—in many cases old tower muskets. But though they might be second-class weapons they had been bought at first-class prices, unlikely to be reflected in the assessment.

Then, as now, the compensation was inadequate, but then, as now, the psychological objection was specially strong; the Natives resented the flagrant injustice of the policy. Then, as now, the Defence Department had been

reorganised under a vigorous Ministerial head ; there were no special service battalions or bombing planes, but there were special Yeomanry and infantry regiments to support the burghers and volunteers. Basutoland was under Cape administration and the Basutos were called upon to disarm. They refused, and the war 1880 began.

### **The "Bitter Products."**

It was a disastrous war, costly in money for it added four unproductive millions to the Cape debt, costly in blood for there were heavy losses on both sides, and costly in prestige for the result was inconclusive. Finally the arbitration of the High Commissioner was accepted, and his award, which saved the faces of both parties, was accepted by both. Three years later Basutoland was transferred to the British Government.

The policy of military disarmament led straight to war ; the consequences of the projected political disarmament lie hidden in the future. It was Abraham Lincoln who said that no nation is fit to govern another nation, and certainly no virile race can be permanently kept in subjection. That there will be tragic trouble if the attempt is persisted in, there can be no doubt though the form it will take is unknown. For that we must await the slow but certain grinding of the mills of God. We may not ourselves taste the bitter products of the harvest the seeds of which are now being sown. But our children and those who come after us will.

### **What the Land Bill Means.**

#### **South Africa at the Cross Roads.**

The Native Trust and Land Bill purports to extend and apply the principles of Act 29/1913, but it contains

provisions to which the sponsor of that Act (the late Hon. J. W. Sauer) would never have consented. The Act of 1913 was intended to prepare the way for a contemplated apportionment of land between Europeans and Natives. It did so by prohibiting land transactions between Natives and non-Natives within areas scheduled in an appendix and comprising all existing reserves and rural locations, as well as some privately-owned Native land; also by prohibiting similar dealings in land outside the "scheduled" areas pending Parliamentary action, upon the findings of a Commission appointed to inquire and report within two years what additional areas it was advisable to set apart for the acquisition of land by Natives and non-Natives respectively.

The Beaumont Commission was appointed, and duly reported. It recommended the provision of additional Native areas larger by nearly two million morgen than those contemplated in the present Bill. But its recommendations were not acted upon. Subsequent commissions followed, whose findings met with the same fate. And now, 12 years later, the problem is still open.

The present Bill attempts to deal with it on new lines. No further Native areas are provided, but special areas lying outside the scheduled areas are "released" from the restrictions of the Act of 1913. Land comprised within such "released" areas may be acquired by Natives or by the Trust constituted under the present Bill.

#### S.A. Native Trust.

The South African Native Trust is a corporation in which certain Crown lands are vested by the Bill, and which is empowered to acquire further land within or

adjacent to a "scheduled" or "released" area. It is stipulated that the land so acquired, together with Crown lands in a "released" area statutorily vested in the Trust, shall not exceed seven and a quarter million morgen. The funds for these purchases and for the various other functions of the Trust are to be derived from one main, and a number of subsidiary sources. The main source is money voted by Parliament, the others are comparatively insignificant.

As regards the acquisition of land in the "released" areas, the Trust will be the principal purchaser. So that the Act of 1913 and the present Bill have this in common, that the additional Native areas will involve the expenditure of large sums of public money. Financial considerations are the crux of the problem.

#### Insufficient Land.

The area which the present Bill contemplates to set aside for Native occupation is made up of the existing Native areas, approximately ten million morgen, and land to be purchased by the Trust, seven and a quarter million morgen. The first category is at present in Native occupation, it includes no new land; the second category has still to materialise. Assuming that Parliamentary grants are forthcoming and that the Trust buys up to its limit, the total will represent 12.3 per cent. of the Union area.

The question arises whether this land is sufficient for the needs of the five million souls who are to develop there "upon their own lines." That is an expression which is continually in the mouths of those who enlarge upon the doctrine of trusteeship. The Minister is no

exception to the rule. He is devoted to both expressions. In his recent pronouncement he does not use the exact words, but he states that in the scheduled and reserved areas "the Native will be free to carry on his own activities without interference from the White man and to develop his own racial type, so that his future advancement will ultimately rest with himself."

But section 23 (3) of the Bill prohibits the issue or renewal of a licence for any profession, business, trade or calling within a Native area without the permission of the Minister, who may assent or refuse at his discretion. The clause would enable the Minister to deprive Natives of their livelihood at will. It is hardly consistent with his assurance of non-interference quoted above. It would indeed clear the air if the Minister or some other man of light and leading would enlarge upon the meaning of "development upon their own lines."

#### European Influence.

For a century and more the Native has been in contact with our civilisation and under its influence. He has developed along those lines. He knows no other civilisation, and he wants no other. Is it suggested that, once segregated in his reserve, the process should stop, and that he should revert to tribal standards? Or is the expression merely a euphemism for shutting him out from our polity and leaving him to stew in his own juice? It is not suggested that either process is possible. But the matter is one which may affect the financial as well as the social aspect of the problem, and it should be cleared up.

Reverting to the question of sufficiency, it must be remembered that the maximum area the Trust may

acquire is far below the additional areas recommended by the Beaumont Commission, that the population of the reserves has largely increased since 1913, and that provision will be required for all the Natives evicted from European farms under Chapter IV of the Bill, and from urban areas under an amending Bill now being drafted. Having with almost incredible folly excluded Natives from the last census, we have no authoritative figures to guide us—but one feels that the provision made for new areas is an under-estimate.

The Minister himself is uneasy on that point, or he would not have made the remarks he did about the relative productivity of the present European and Native areas. He laid stress upon the fact that the present reserves enjoy a more favourable rainfall and are more naturally productive than the remainder of the Union.

That may or may not be so, but it does not affect the question whether or not the present reserves are congested, and it takes no account of the fact that the Natives outnumber the Europeans by three to one. The present habitats of the two races are the result of historical events and of contracts which cannot now be altered. We are concerned merely with the question whether the existing reserves are overcrowded, and if so whether adequate new areas are being provided. The Minister's remarks suggest that he entertains a doubt upon the latter point.

#### “ Cheap Labour.”

I have hitherto assumed that the new areas will be acquired. That depends upon the willingness of Parliament to supply the Trust with the requisite funds. And the question whether the necessary millions will be forth-

coming is of supreme importance. The Minister, of course, is sanguine, but the attitude of Parliament in the past is not encouraging.

Native reserves have too long been regarded as reservoirs of cheap labour, and Natives have been subject to harsh differential legislation. Direct taxation has weighed more heavily upon them than upon Europeans; and articles in their general use have been discriminated against in our customs tariffs. Have they ever benefited in a fair proportion from the surpluses directly due to their work? It is hardly necessary to labour the point that our treatment of the Native of recent years has shown very few indications of favour or generosity. Is the leopard likely, in a moment, to change his spots?

We have surpluses to-day, but the lean years are bound to come. Among clamant demands of farmers for subsidies, of industries for protection, of townsmen for relief from taxation, can we have any certainty that money will be found to purchase land for Natives who have no votes? There is only one answer to that question. The Johannesburg Joint Council suggests that the "raising of a loan of at least ten millions be incorporated in the Bill so as to make it possible for the Trust to work out a long-range plan of land purchase and Native development." The acquisition of the new areas will cost far more than that in the end, but some such provision seems necessary to ensure the success of the scheme.

I now come to one of the worst features of the Bill—the clauses which deal with territorial segregation. Chapter V is lengthy, but its general purport may be shortly stated. It aims at a partial segregation, adjusted so as to ensure a permanent labour supply to farmers in

non-Native areas, while driving the surplus Natives from such areas into reserves. That is the general scheme. The principles of the Native Service Contract Act of 1932 are to be applied throughout the Union. A strongly-worded protest against that measure was drawn up by the Cape Peninsula Church Council and influentially signed while the Bill was before Parliament. It had no effect, and the principles which were then applied to Natal and the Transvaal are now extended to the whole Union.

Squatters—men who pay rent but render no service and who are on the land when the Act comes into operation—must be registered. For such registration a licence fee is payable on an annually increasing scale which rises to £10. No new squatters may be recognised after the Bill becomes operative. Labour tenants who render service for part of the year must also be registered, and machinery is created for ensuring that no larger number is retained on the farm than is required for domestic, farming and industrial occupations. Though their service may only extend to six months of the year, they are made subject to the Master and Servants Acts with their severe statutory penalties.

#### Squatters and Tenants.

Squatters and labour tenants who do not fall within the protection of the statute are liable to summary ejection. In that event provision is to be made by the Department of Native Affairs (not the Trust) for the evicted person in a "scheduled" or "released" area. The general result will be to drive out the squatter and to place the labour tenant in a position in which he becomes an ordinary servant at a sub-economic wage.

In the balanced and restrained analysis of the Bills



issued by the Institute of Race Relations occur the following remarks in Chapter V: "This section of the Bill affects about 1,618,000 Natives, and it should be noted that in many, if not most, instances the tribes to which the Natives belong have been resident on the land since before the European occupation."

But there is another measure to be considered in this connection. The two Bills already published, though the result of ten years of incubation, do not exhaust their theme. An Urban Areas Amendment Bill is being drafted to complete the trilogy. A departmental committee has been appointed for that purpose. The object of the Bill is "to control the influx of Natives into, and the removal of surplus Natives from, urban areas." It is evidently proposed to apply to the town the principle which the present Bill makes applicable to European land in rural areas.

#### Obligation of Honour.

Such is the scheme now before the country. The Act of 1913 recognised the inadequacy of the Native areas, and undertook to enlarge them. The Minister declares that there was no resulting legal obligation to supply Natives with additional land inside the enlarged areas. That is not the point. There was an obligation of honour to supply additional areas. The terms of the Act and the speech of the Minister who introduced it established the obligation. In the twelve years which have elapsed the position has greatly worsened. The Government now offers to fulfil the undertaking, but it clogs its offer with two conditions—the abolition of the Cape franchise and the drastic provisions of Chapter V of the Land Bill. The whole scheme hangs together; it is impossible to accept

one Bill or one chapter and reject another. We are told that righteousness exalteth a people. What righteousness or fair dealing is there in such a policy ?

The Natives are requested to define their attitude. No graver questions could be put to any people ; upon their reply great issues will depend. They have already asked that the Bills should be translated and distributed, and that adequate time should be allowed for consultation. Surely a reasonable request. It has taken ten years to evolve these measures, with the assistance of experts and officials. It is only right that those who are directly affected by the proposals should have sufficient time to consider them.

There are three main questions :

- (1) Is the additional area adequate ?
- (2) Is it likely to be obtained ?
- (3) Should an offer clogged by the conditions I have mentioned be accepted ?

There are other points which require to be carefully weighed, but these I have mentioned seem the most important. And the draft Bills are not easily mastered. Even to those accustomed to legal documents they present difficulties. It is to be hoped that they will not be hurried on. Such a course would be not only unwise, but impolitic. The Bantu people do not like to be rushed, they love to talk a question out. The Bills contain much that is unpalatable, and time for full discussion will not be time wasted. Nor is the present an apt moment to legislate upon subjects which relate to difference in colour. Events are proceeding upon the African stage which are calculated to intensify race feeling and colour prejudice. South Africa, like other parts of the Continent, is quivering with

excitement. It would be wise to wait for a calmer atmosphere.

### Towards Fascism ?

In conclusion, I would invite attention to the effect these Bills are likely to have upon the future of Parliamentary Government in this country. We live in troublous times. A tidal wave of absolutism is sweeping round the world. It takes different forms in different countries; sometimes it comes in democratic guise. But all its forms have this in common—they are fatal to that spiritual and personal liberty which alone makes life politically worth living. Democracy is for the moment in the trough of the wave, it is in sad case, but it will come into its own again, though it may be through much tribulation.

The Union of South Africa is not a democracy; the mere fact that it has adult suffrage does not make it one. The test is whether the will of the people prevails. With us it is the will of a privileged minority which prevails. What we have is parliamentary government, which is sometimes a democratic system and sometimes not.

The parliamentary system itself is on its trial; the power of Parliament, even in England, the Mother of Parliaments, is being encroached upon and weakened—encroached upon by the domination of the Ministry and the caucus, weakened by an undue burden of work and an undue volume of talk, by the influence of the Press, by the spread of broadcasting and in other ways. Yet parliamentary government may long survive when it is rooted to the support of the great majority of the people.

That is not the case here. As time goes on and the quality and culture of the voteless majority increases we shall have to choose between vivifying our Parliament by

widening our suffrage or adopting some other form of government. And what will that form be? I venture to think that the tendency will be toward Fascism: these Bills bring us nearer to that contingency.

There are questions raised by this legislation, questions of national honour and fair dealing which far outweigh in importance the matters which concern our material prosperity.

South Africa stands at the cross-roads. May she have the wisdom to choose aright.

(Concluded).

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|-------------------------------|-----------------|
| 1. Professor D. D. T. Jabavu. |                 |
| 2. Dr. Xuma.                  |                 |
| 3. Z. R. Mahabane.            |                 |
| 4. Dr. P. Ka. Seme.           |                 |
| 5. T. M. Mapikela.            |                 |
| 6. Dr. J. S. Moroka.          |                 |
| 8. Chief Hubert Bikitsha,     | Idutywa.        |
| 9. Councilor C. R. Sakwe,     | "               |
| 10. Councilor P. T. Xabanisa, | "               |
| 11. Councilor Ntloko,         | "               |
| 12. Miss L. S. Soga,          | "               |
| 14. Mr. Wilson Jabavu,        | Port Elizabeth. |
| 15. „ W. Somtunzi,            | Johannesburg.   |
| 16. Councilor J. K. Finca,    | Idutywa.        |
| 17. Mr. C. U. Poswa,          | "               |
| 18. „ Ntintili,               | Transkei Prop.  |
| 19. „ Masebe,                 | "               |
| 20. „ J. J. Fatsha,           | Toise River.    |

21.	Mr. J. N. Naho,	Toise River.
22.	„ Z. J. Mabuya,	Stutterheim.
23.	„ Mafuna,	Cathcart.
24.	„ D. Magunga,	„
25.	„ Paul Ngokwana,	„
26.	„ Reuben Hlwati,	„
27.	„ Victor Maart,	Johannesburg.
28.	„ Richard Boloyi,	„
29.	„ Gomas,	Cape Town.
30.	Dr. Gool,	„
31.	Mr. J. S. Mazwi,	Ndabakazi.
33.	Mr. Luyiza,	East London.
34.	„ W. Dingaan,	Bethlehem.
35.	„ D. Ntsoane,	„
36.	„ L. D. S. Mokuena,	Lindley.
37.	„ J. A. Ntsala,	Alex. Township.
38.	„ E. J. Mart Zulu,	„
39.	„ M. S. Phooko,	Aliwal North.
40.	„ C. P. Matebe,	„ „
41.	„ Alex Jayiya,	Uitenhage.
42.	Rev. S. B. Ntlemeza,	„
43.	Mr. T. Followers,	Mparane.
44.	Chief J. Moshesh,	„
45.	Mr. & Mrs. Gonya,	Steynsburg.
46.	„ Mabethe,	Winburg.
47.	„ Monyone,	„
48.	„ A. Molete,	„
49.	W. Malefane,	„
50.	Headman Shishange,	Bethel Location.
51.	Mr. T. D. Nkosi,	„
52.	„ F. W. Thibedi,	Johannesburg.
53.	„ Peiter Ramutla,	„

54. Miss Anna Chou.	
55. Mrs. Agnes Motlhodi.	
56. Mrs. Elizabeth Mosehle.	
57. Mrs. Johanna Mohapi.	
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