A survey of race relations in South Africa: 1957-1958

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A SURVEY OF
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Murile Horrell

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POLICIES AND ATTITUDES
THE PARLIAMENTARY ELECTION General election, 16 April 1958
The number of seats gained by various parties at the general elections in 1953 and 1958 was as follows:

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<th>Party</th>
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<tr>
<td>National Party</td>
<td>94</td>
<td>103</td>
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<tr>
<td>United Party</td>
<td>57</td>
<td>53</td>
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<tr>
<td>Labour Party</td>
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The two Labour Party candidates, and the three representatives nominated by the Liberal Party, were heavily defeated in 1958. The Federal Party put forward no candidates. Dr. T. Wassenaar, leader of the National Democratic Party, resigned during December 1957, and later announced that he would support the National Party in the general election.

The total number of votes polled was 642,069 for the National Party, 503,639 for the United Party, and 6,096 for the Labour and Liberal Party candidates and for one anti-Nationalist Independent. In addition there were twenty-four uncontested seats, in which the United Party candidates were unopposed. There were various estimates of what the total vote would have been if allowance were made for these constituencies: the Star, for example, calculated that there would have been an anti-Nationalist majority of 37,298 votes; the Transvaler was of opinion that the Nationalists would have won by 31,845 votes; while the Sunday Times, using a formula devised by Professor Gwendolen Carter(1), arrived at an intermediate result, estimating that the anti-Nationalists would have led by 18,500 votes. In any case, it is clear that the distribution of seats in the Assembly is by no means a clear reflection of the real strength of the parties concerned.

The Separate Representation of Voters Amendment Act of 1958

As was described in earlier issues of this Survey(Q), after a six-year constitutional struggle the Government eventually enlarged the Senate in order to obtain the necessary majority for a measure to revalidate the Separate Representation of Voters Act of 1951. This Act, as amended in 1956, provided that the Coloured voters of the Cape would be placed on a separate roll, and would elect four White representatives to the House of Assembly, and two representatives, who must also be White, to the Cape Provincial Council.

Their four Parliamentary constituencies, as subsequently delimited, were Peninsula, Boland, Outeniqua and Karoo.

(1) In The Politics of Inequality. She assigned to the unopposed party 85 per cent of the votes in each uncontested constituency, assuming an 85 per cent poll.

(2) e.g. A Survey of Race Relations, 1955-56, page 20 et seq.

N.B.-These publications will, for the sake of brevity, merely be termed Survey in the footnotes that follow.

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The Separate Representation of Voters Amendment Act of 1958 demarcated polling districts on the basis of magisterial districts. It provided that, in districts with large numbers of voters, there might be more than one polling station, while,
in districts where there were fewer than fifty voters, there should be postal voting. All those who lived or worked more than five miles, by the nearest practicable route, from a polling station might also vote by post. Opposition speakers maintained(1) that in the Karoo constituency, about two-thirds of the voters would have to vote by post if they voted at all. In practice, most of these would have to go to a police station to cast their votes; and Coloured people were, in general, reluctant to visit the police.

The Coloured electorate
In order to qualify for a vote on the common roll in the Cape, a Coloured man had to be of the age of 21 or over, to earn an annual salary of at least £50 or, alternatively, to own fixed property of a minimum value of £75, and to be able, without aid, to write his name, address and occupation. It is probable that some 120,000 or more Coloured men possess these qualifications; but when the separate roll was created, in preparation for the election of Coloured representatives, there were only 29,264(i) registered Coloured voters. The main reason why so small a proportion registered was undoubtedly apathy; but a contributory reason was frustration and passive resentment. During the years of the constitutional struggle, very many Coloured people came to feel that the Whites were disowning them, and lost interest in exercising a vote in the White man's parliamentary machinery. The number of Coloured registered voters dropped by about 38 per cent between 1952 and 1958: 47,000 were registered in the former year. Many of the Coloured intelligentsia, members of the more extreme organizations such as the Non-European Unity Movement, the Anti-Coloured Affairs Department Movement, or the S.A. Coloured People's Organization, deliberately refrained from registering because they were unwilling to participate in any system offering but limited citizenship rights.

Attitudes of Coloured people to the elections
The Anti-Coloured Affairs Department and the Non-European Unity Movements called a number of meetings at which Coloured people were urged to boycott the elections of Coloured representatives and to "reject completely and unconditionally the whole fraud of separate representation on the basis of a Coloured voters' roll". Any vote cast, they maintained, would be a vote for apartheid, for
(4) Figure given by Hon. H. G. Lawrence, M.P., Assembly, 21 January 1958, Hansard 2 col. 305.

RELATIONS: 1957-58

3 it would indicate acceptance of the principle of separate representation. Posters were prepared bearing legends such as "Boycott the Dummy Elections", and on polling day these were displayed by people who took turns to picket the polling booths in the larger urban centres. They did not interfere in any way with those wishing to vote, but hoped that their presence would have a deterrent effect.
A group of ten prominent 'moderate' leaders issued a statement saying that they would take no part in the elections. They had, from the start, condemned separate representation, which would be ineffective, they said.

After considerable debate, the S.A. Coloured People's Organization decided that it would participate in the elections because, it stated, the only way to change the system was to work from within. This organization nominated two candidates - who had the support and approval of the Congress movement (the African National Congress, S.A. Indian Congress, S.A. Coloured People's Organization, S.A. Congress of Democrats and S.A. Congress of Trade Unions).

The Coloured People's National Union, which has lost most of its former following, advised the Coloured people, while continuing to campaign against the Separate Representation of Voters Act, nevertheless to exercise their voting rights freely.

The views of the Coloured organizations had direct appeal to but limited numbers of the electorate, since the majority of the Coloured people are not members of any of them.

The election of Coloured representatives

The election of the Coloured representatives took place on 3 April, about a fortnight before the general election. There were twelve candidates in the four constituencies: although they did not officially represent political parties, four of them had the support of the United Party and three were supported by the Nationalists. Besides these, there were the two S.A. Coloured People's Organization candidates and three independents.

The unofficial United Party candidates won all four seats with large majorities, obtaining an average of 2,753 votes each. One of them was later admitted to the United Party caucus, while the others sit as a separate group under the leadership of Mr. A. Bloomberg. The unofficial Nationalist candidates obtained an average of only 176 votes each, and, unexpectedly, the S.A.C.P.O. candidates only 454 each on average. The probable reasons for this were that many of the S.A.C.P.O. members had not registered as voters, and that large numbers of other people who would normally have voted for these candidates boycotted the election.

The average percentage poll was only 50.2. It was highest in the Outeniqua constituency (Eastern Cape, including Port Elizabeth), and, again unexpectedly, second highest in the widespread A SURVEY OF RACE

Karoo constituency. The lowest percentage poll, of 41.9, was in the Peninsula, where it was easiest for voters to get to the polling booths. These facts lead to the conclusion that the boycott propaganda was partially successful, especially in the cities.

The total number of votes cast, including spoilt papers, was 14,694.

African representatives

The three White representatives of the male African voters of the Cape were elected in December 1954 for a period of five years, and were thus not affected by the general election.

In reply to a question as to whether the Government intended to abolish the representation of Africans in the House of Assembly and/or the Senate, the
Minister of the Interior said on 7 February 1958, "I wish to refer the hon. member to a statement in this connection by the Hon. the Prime Minister on 25 October 1955, namely:
"'The Nationalist Party as such has never altered its policy to abolish representation of Natives in the House of Assembly. In view, however, of the agreement between Dr. Malan and Mr. Havenga that, as far as they were concerned, representation of Natives should continue, the matter will again be considered as soon as the pattern of our apartheid policy in this connection has unfolded and developed to such an extent that the Natives' own forms of government in their own areas under our principle of guardianship have in our opinion progressed sufficiently'"
The "National Workers' Conference"
Plans for a demonstration by Non-White workers at election time were made by the Congress group. Mr. A. J. Luthuli, President-General of the African National Congress, said, "We are for wide-spread activity among the voteless people at election time, so that the voices and opinions of the voteless may be taken into account seriously by the voters before they dare saddle us with another five years of Nationalist rule".
Following preliminary local and regional conferences in most of the major urban areas on 15 and 16 February, a National Workers' Conference was held in Johannesburg on 16 March. Some 1,763 delegates and more than 2,000 African spectators attended. It was decided to campaign for a legal national minimum wage of £1 a day and for the abolition of the Group Areas Act and the pass laws. Much enthusiasm was shown for a resolution calling for a stay-at-home demonstration from April 14th (two days before the general election) "until such time as the people's demands have been met"; but it was eventually decided that provincial leaders would determine the most suitable form of protest for their areas:
(5) Assembly Hansard 3 col. 1096.

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wherever possible this would be a stay-at-home demonstration, the duration to depend on local circumstances. Speakers insisted that all demonstrations should be peaceful, every worker should decide for himself whether or not he would participate, and there must be no intimidation. Posters and leaflets were prepared to advertise the workers' demands. The police took pains to keep in touch with developments. On 14 March and again on 11 April Special Branch detectives raided the offices of the organizations sponsoring the conference and the homes of some of the leaders. Numerous documents and pamphlets were seized. Detectives attended the Workers' Conference and made notes of the speeches.
The African National Congress message to White voters
Shortly before the general election, copies of a handbill, with a message to White voters from the President-General of the African National Congress, were widely distributed. Extracts from this message are:

"On April 16 you are going to exercise your right to vote for your representative in Parliament. You may perhaps ask what this has to do with us, who have no votes. It has a great deal to do with us. Parliament makes laws... We have to obey those laws - which always bear more severely upon us than upon anyone else... We consider it neither fair nor just, and we shall never rest content until the democratic principle which is conceded for Europeans is extended to include the entire population. But so long as this unfair position continues, and our people are excluded from the franchise, have we not at least the right to state our views?

"Neither the Nationalist Party nor the United Party represent or are supported by the African National Congress.

"But we must say that never since Union have our people suffered such hardships, humiliations and sheer brutality as we have had to undergo during the past ten years of Government by the Nationalist Party... our poverty has become desperate. Every door through which we might have sought advancement, culture and a higher civilisation has been slammed in our faces. Every means of legitimate national expression and protest is being closed to us. Our leaders and spokesmen are arrested, banned, deported and silenced.

"Where can this road lead our country, South Africa? We see the crime rate rising day by day, its roots in the slums and the poverty, the hopelessness and the frustration in which the people are living.

"We see unrest and disturbances occurring more and more widely and frequently. It is not the African National Congress or the 'agitators' which are responsible for these things, nor will more

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repressions, bannings and police terror prevent them. They are signs of deep discontent, of something profoundly wrong in the way in which our people are treated.

"You may have been led to believe that our Congress is antiWhite, that it is a reckless organisation out to stir up racialism. Nothing could be further from the truth. We are a serious and responsible minded body of men and women, and our aim, as we have stated many times, is neither White supremacy nor Black supremacy, but a common South African multi-racial society, based upon friendship, equality of rights and mutual respect.

"Yours, in the service of South Africa,

ALBERT J. LUTHULI,
President-General,
AFRICAN NATIONAL CONGRESS."

Action taken by the Government

As will be described in more detail in a later chapter, a proclamation was gazetted providing that as from 12 April no meeting of more than ten Africans might take place in any of the major urban centres unless with the permission of the Native Commissioner or Magistrate. Gatherings for church services, funerals or sporting
events were not included in the general ban, nor meetings held by Members of Parliament or Provincial Councillors.
All police leave was cancelled shortly before the elections, and the Union Defence Force was ordered to stand by. The Prime Minister announced that arrangements had been made for drastic action to be taken against persons causing disturbances of the peace or labour unrest. Action had been taken to ensure that essential services would be kept going, if necessary by replacement or auxiliary labour. Appeals were made to employers to try to influence their workers not to participate in the demonstration. Many employers held meetings with their African workers, some making appeals, others threatening reprisals. The "stay-at-home" demonstrations on 14 April
The stay-at-home demonstrations proved an ignominious failure. The African National Congress in Natal decided against participation, a response in the Cape and in most Transvaal towns was negligible. Not one in ten of the Johannesburg workers stayed at home. On the evening of the first day the African National Congress called off the demonstrations.
Only in Sophiatown (in the Western Areas of Johannesburg) was there widespread support, with a large proportion of workers remaining at home on the first day. Although the Press refrained from dealing with the course of events in Sophiatown, it is understood that there was considerable police activity in the area. Violence occurred there and in Newclare when groups of tsotsis stoned passing buses, motor cars and police convoys, and assaulted Africans who had been to work. The police dispersed them by making baton charges and firing several warning shots.
There were a number of reasons for the failure of the campaign. Firstly, some of the African National Congress leaders were lukewarm about protesting at election time and for such objectives as £1 a day for every worker. In some areas the leaders condemned the plans. Rumours of top-level dissension filtered down to the rank-and-file. Furthermore, as will be described later, the campaign coincided with an upsurge of serious differences of opinion on other matters within the Congress. The decision to participate was made at Executive Committee level, there was little time for branch discussions, and many members were left in doubt as to the Congress's role in the campaign.
Secondly, far too short a period was allowed for proper organization, the planning was apparently inefficient and the directives issued were often vague. Thirdly, it is certain that the leaders misjudged the mood of the people, who saw no reasonable prospect of gain in return for the material sacrifices of loss of wages and possibly of jobs that they were asked to make. Employers in commerce and industry had warned Africans of the consequences of staying away from work.
And lastly, the European Press and also most of the African papers expressed opposition to the demonstrations and advised Africans not to participate.
The Nation’s Congress leaders lost considerable prestige as a result of the failure of the campaign. The view was widely shared that the leaders were out of touch with the people, and were taking dictation from outside. In several of the larger urban areas numbers of Africans were arrested on charges of inciting others to commit the offence of striking by way of protest against laws. The trial in Johannesburg of one European and 22 Coloured, Asian and African people, both men and women, excited particular interest because it was so protracted. Proceedings in the Regional Court started on 10 June, and sentence was not passed until 6 September: meanwhile there had been very lengthy evidence by the Crown of speeches made by some of the accused and by others who were not present. Not all of the accused were alleged to have made speeches advocating a strike: some of them were merely accused of having distributed handbills. The actual leaders of the campaign did not figure in court. In the end, four people were acquitted, five were sentenced to terms of imprisonment ranging from four to twelve months (notice of appeal was given), and the rest were given the alternative of paying fines, sentence being suspended in some cases. Shortly thereafter, twenty more people were arrested in Johannesburg on similar charges.

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Views of the United Party and Natives' Representatives, as expressed at the opening of the new Session of Parliament
At the beginning of the first session of the Union's Twelfth Parliament, the Leader of the Opposition, Sir de Villiers Graaff, moved: "That this House is of the opinion that, in the interests of true national unity and to ensure the future prosperity of all our peoples, the Government should: "(a) abolish the present Senate and substitute therefor an Upper House more truly representative of the views and sentiments of the people; "(b) create constitutional machinery for safe-guarding the right of political minorities and ensure effective consultations with the peoples of South Africa on major constitutional changes; "(c) secure a positive and common approach to certain aspects of Non-European policy on which there is general agreement between the major parties; and "(d) take steps to attract, as a matter of urgency, overseas investment capital . . . and by State-aided immigration and the proper use of our labour resources . . . increase production, lower costs, and raise standards of living.
"This House is also of the opinion that, unless the Government gives immediate effect to the above-mentioned proposals and in the meanwhile desists from ideological legislation and ill-timed action and propaganda calculated to exacerbate race relations and disturb national progress, it will forfeit the confidence of this House".
The Leader of the Natives' Representatives, Mrs. V. M. L. Ballinger, moved(8):
To omit all the words after "That" and to substitute "this House views with increasing anxiety: ")(i) the continuing failure of the Government to establish any co-operative understanding with the African people; and "(ii) the progressive attempts by the Department of Native Affairs to isolate the African community and to administer it by decree and intimidation.

"It therefore calls upon the Government in the interests of internal peace and our standing in the world outside, particularly in Africa, to abandon the practice of arbitrary government now in operation among Africans, to restore the civil liberties and progressively extend the political rights of the African people, and thus set the country on the road to a true democratic government"

The then Prime Minister, the late Mr. J. G. Strijdom, queried whether the Opposition really wanted national unity(9). If it did, he said, it would accept the Union flag as our only flag, "Die Stem
(8) Assembly, 9 July 1958, Hansard 1 cols. 72-73.
(1) Cols. 29-30.

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van Suid-Afrika” as our only national anthem, and the establishment of a republic in South Africa. He moved:
To omit all the words after "That" and to substitute, "this House expresses its full confidence in the Government and its policy, but desires at the same time to record its strongest disapproval of the attempts of the Opposition and the Press supporting it:
"(i) continually to create strife between the two main White language groups in our country as well as between White and Black, and
"(ii) to undermine the good name of South Africa and its economic stability by making and publishing incorrect and misleading statements”.

Statement by the Institute of Race Relations
The S.A. Institute of Race Relations issued the following statement on 23 April 1958:
"As the National Party Government enters upon its third successive term of office, the South African Institute of Race Relations underlines the necessity for a reassessment of the events of the past ten years. There is the utmost need to view the internal South African situation both within the perspective of world developments and conflicts and in relation to the political and economic changes which are rapidly taking place throughout Africa.
"For ten years the Government has pursued its policy of apartheid: a policy which the electorate has once again endorsed. But this electorate, except for a handful of Coloured men, consists of only one section of the South African people; over ten million Non-Whites had no voice whatsoever in this general election.
"Having no vote, Africans sought to draw attention to their disabilities by calling a three-day stay-at-home period. It -failed, but its failure must not be interpreted
as meaning that Non-Europeans acquiesce in the policy of apartheid. The European people of our country delude themselves if they ignore the urgent and real causes which lay behind the decision to call the demonstration. These root causes have not been eliminated by its failure nor by the return of the Government to power.

"Basic to Non-European discontent are the grossly inadequate wages which the majority receive, the pass laws and particularly their extension to African women, the mass of restrictions and disabilities under which Non-Whites labour, the suffering occasioned by the Group Areas Act and by racial classification.

"The Institute believes that as long as there exists no adequate machinery by which Non-Europeans can express their wishes and participate in government, they will increasingly be driven to adopt extra-parliamentary action - public demonstration, passive resistance and strikes - in an attempt to secure redress of their grievances."

"Armed force and constant threat cannot be used permanently to enforce an unacceptable policy. This method of government not only generates growing tension and hostility but carries within it the danger of provoking violence. It must finally fail. No people can for ever be kept in a state of subjection.

"The Institute holds to its belief that no reasonable adjustments of race relations in South Africa will be obtained until all its citizens have fair economic opportunity and enjoy the rights of a common citizenship with a common loyalty to South Africa. With its rich resources, its long period of inter-racial contact, the acceptance by the recognised Non-European leadership of the need for inter-racial co-operation, the Union is in a singularly favourable position to work out new patterns of racial harmony".

The Prime Minister

The Hon. J. G. Strijdom died on 24 August 1958. Dr. the Hon. H. F. Verwoerd was then elected Prime Minister.

The Electoral Laws Amendment Act, No. 30 of 1958
In terms of the Electoral Laws Amendment Act, the vote was extended to White persons of or over the age of eighteen years (except for persons between 18 and 21 years of age who are detained in certified hostels or reformatories).
This measure was attacked strenuously by the Opposition. Speakers pointed out that people who were not permitted to conduct their own affairs without a measure of assistance from their elders were now being invited to participate in the running of the affairs of the country. The progressive extension of the franchise to the Europeans in recent years had been coupled with a progressive contraction of the franchise rights of the Non-Whites.

MULTI-RACIAL CONFERENCE CONVENED BY THE INTERDENOMINATIONAL AFRICAN MINISTERS' FEDERATION.
The Inter-Denominational African Ministers' Federation, assisted by a number of private individuals as sponsors, called an exploratory multi-racial conference in Johannesburg during December 1957, the theme being "Human Relations in a Multi-Racial Society".
About 400 people, of all racial groups and of many different walks of life, attended in their personal capacities. The Europeans who accepted the invitation were not fully representative of White South African thinking, but it was the clear intention of the conference that further and, if possible, more widely representative gatherings should be held. Perhaps the most important fact that emerged was that responsible Non-White leaders were willing to participate in frank and open discussions, and were still anxious for co-operation between the races.

Various commissions were appointed. Very brief summaries of their findings, as adopted later in plenary session, are:

Human relations in a multi-racial society
South Africa must choose between the concept of a common society or the danger of a collision between the forces of White domination and those of Non-White counter-domination thus engendered. The whole Nationalist philosophy was based on racial difference, but such differences were only incidental to a basic common humanity. Conference recognized the depth of White fear of granting rights to Non-White people, but noted that policies based on fear offered no real security to White people. On the contrary they heightened such fear, and drove White South Africa into more and more dangerous policies.

White South Africans had no adequate conception of the repugnance felt by Non-White citizens towards the doctrines of apartheid, of the suffering and deprivation that apartheid inflicted on them, of the way in which they were harried by laws and officials during every moment of their lives. Conference believed that the days of White supremacy were past. South Africa must accept a political and economic structure that would eliminate bitter conflicts. Allegiance was affirmed to the aspirations of the Universal Declaration of Human Rights.

Religion
All religious faiths in a greater or lesser degree looked upon human life as a direct creation of God. Religion was, therefore, vitally concerned with the essential equality of all men before God. Religious communities confessed the failure of their members to teach and implement fully in practice the brotherhood of man. Practical applications of inter-racial collaboration should be fostered in worship, discussion, social exchanges and in charitable and cultural undertakings. In this way, religious communities would contribute their share to bringing about a change of heart and of social structure by peaceful means.

Education
Educational policies which seek to perpetuate White domination, accentuate ethnic differences and resuscitate tribal nationalism were rejected by the Conference, which affirmed its faith in the common destiny of the various racial elements which comprise the South African nation. The fundamental social aim of
our education should be to promote a common patriotism, common citizenship and the welding of the various elements into a single nation-state.

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Education should be free, at least in the elementary stages, and compulsory. It should be directed to the full development of the human personality.

Economic rights and duties

The aim should be to abolish all discriminatory restrictions based on the colour of the worker, and all other obstacles in the way of production, as soon as possible. The State should be encouraged to allow the expansion of the economy of the country to take its natural course.

Civil Rights and Duties in a Multi-Racial Society

Any good society must guarantee to all its citizens civil rights as upheld in democratic societies, and affirmed in the United Nations Declaration of Human Rights. To deny these rights to any group in the nation was to prevent men from living a free and dignified life, in harmony with society.

All laws denying or restricting civil rights in South Africa should be repealed. In addition, the basic freedoms should be entrenched in a written constitution, through a Bill of Rights. Such a constitution would require the assent of all citizens, and would involve the calling of a new National Convention, representative of all races in the country.

But the ultimate entrenchment of civil rights would require the vigilance of all citizens, and their knowledge and determination that if they allowed any breach in civil rights, at the expense of one group, they endangered the rights of all.

Political arrangements

Conference was convinced that only universal adult suffrage on a common roll could meet the needs and aspirations of the people. It appreciated that there was disagreement as to the ways and means of achieving the transition from White supremacy to a non-racial democracy, but was of opinion that work should be started immediately towards the achievement of the ultimate goal.

A planning committee was appointed to decide how practical effect to the Conference's findings could best be given(10).

THE AFRICAN NATIONAL CONGRESS

Internal dissension

Mr. A. J. Luthuli, the President-General of the African National Congress, was originally among the accused at the preparatory examination of a number of people on a charge of high treason. The charges against him were later withdrawn; but for just over a year, as a condition of bail, he was unable to attend any meeting other than those of a social, religious, educational or recreational nature. Numbers of the other established African

(10) An account of the conference has been published by the Planning Committee (P.O. Box 9648, Johannesburg), under the title South Africa's Multi-Racial Conference.

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National Congress leaders have been in the same position, or have had restrictions placed on their freedom of association and movement under the Suppression of Communism and Riotous Assemblies Acts. These established leaders had kept a restraining hand on any extreme manifestations of African nationalism. Their aim has been to bring together Africans of every tribe and clan, to work together for the extension of democratic rights. But their struggle has not been directed against any particular race or national group: they recognize that all people who have made South Africa their home are South Africans, and they are willing to co-operate with sympathetic members of other racial groups. Hence, when the Government began implementing its apartheid policy after 1948, realizing that it was not only Africans whose democratic rights were threatened, the established leaders cooperated with Indian and Coloured groups and with the Congress of Democrats in the Campaign of Defiance of Unjust Laws, and in the Congress of the People at which the Freedom Charter was drafted (1). After numbers of the established leaders had become immobilized, others were nominated to act for them; but these newcomers to high office did not enjoy the same national prestige. Personality difficulties arose. Dissatisfaction with the acting leadership was publicly expressed at an annual conference held during December 1957. These difficulties were accentuated by the fact that many members of the African National Congress were uneasy about its association with the Congress of Democrats, and considered that African policy should have been guided by the programme of action adopted at the Annual National Conference held at Bloemfontein in December 1949, rather than by the Freedom Charter (12). In this uneasy situation, the Africanist group made a powerful bid for leadership. The Africanists are not necessarily exclusive nationalists, but consider that Africans can best negotiate with other groups from a position of strength. For this reason they are against collaboration with the "Congress movement": the Congress of Democrats and the Indians, they say, have in recent years been thinking for the Africans. At conferences of the African National Congress held in the Transvaal and the Cape early in 1958 the Africanists played up internal differences relating to personalities and administration in order to attempt to seize power themselves. At the Transvaal meeting the Africanists went so far as to invade the Congress offices and to seize a number of documents. This meeting ended in chaos, the Transvaal President subsequently resigning. For some months the National Executive administered the affairs of Congress in the Transvaal. In the Cape, the existing Provincial Executive was voted out, a caretaker committee being appointed.

The abortive effort later made by the Congress group to organize a stay-at-home demonstration at the time of the general election has been described above. This resulted in a further loss of confidence in the leaders involved in the planning. The ban on gatherings of more than ten Africans in the major urban areas, imposed as from 12 April and not lifted until 29 August, made it impossible during these months for Congress to hold representative provincial meetings at which attempts could be made to iron out the internal difficulties. The annual meeting of the Transvaal African National Congress was eventually held on 1 and 2 November. After tense and angry scenes the Africanists present, led by Mr. Josias Madzunya, decided to leave the meeting. They announced that they would launch out on their own, as custodians of the original African National Congress policy, and that they intended starting a "political battle against White domination".

Banning of the African National Congress in certain rural areas In terms of Proclamation No. 67 of 1958, of 17 March, the Government took power to declare, on any Trust land or in any scheduled or released area, as determined by the Minister of Native Affairs, that the African National Congress, or any other organization whose activities are deemed to be "detrimental to the peace, order and good government" of Africans, is an unlawful organization. When any organization is declared unlawful in any area, the local Native Commissioner may impound any of its property and documents, and call upon persons suspected of holding such property or documents to furnish full details. It will be an offence in the area concerned to become or continue to be an office-bearer or member of the unlawful organization, to take part in any of its activities, to display anything or utter any slogan or make any sign associated with it, to contribute or solicit any subscription, to make any false declaration in regard to the organization's property, or to hinder anyone in the performance of his duties under the proclamation. If it is alleged that someone is or was an office-bearer or member of the organization, he will be presumed to be so until the contrary is proved.

Anyone convicted of an offence under the proclamation will be liable to a fine not exceeding £300, or, in default of payment, to imprisonment for a period not exceeding three years, or to such imprisonment without the option of a fine, or to both such fine and imprisonment.

On the same day, Government Notice No. 400 of 1958 was gazetted, which rendered the African National Congress an unlaw-
towards our joint existence in a common fatherland. But it is unthinkable that people who live in the same country and in increasing measure have the same culture and subscribe to the same beliefs should live in total isolation from one another . . . There can be no doubt about the necessity for contact between White and Non-White, and the more the pattern of separate development emerges, the more contact there will have to be on a responsible level".

The theme of Sabra's annual conference held at Stellenbosch from 29 April to 2 May 1958 was "Our Task with Respect to Race Relations in South Africa". In his opening address the then Chairman, the Rev. W. A. Landman, spoke of essential requirements, namely realism and sober thinking, honesty and sincerity, and cooperation and goodwill. The papers read were:

- Dr. G. D. Scholtz - Die Ontstaan en Wese van die S.A. Rassepatroon (The Origin and Essence of the S.A. Racial Pattern).
- Dr. A. L. Geyer - The Role and Responsibility of the Press.
- Mrs. W. Schumann - Die Vrou (The Woman).
- Mr. F. P. R. van Wyk - Die Boer (The Farmer).
- Mr. C. C. Kriel - The Industrialist and Businessman.
- Mr. J. D. du P. Basson - Die Politikus (The Politician).
- Prof. Dr. C. F. Gunter - Die Onderwys (The Role and the Task of Education).
- Mr. S. Bourquin - The Civil Servant.
- Major General C. I. Rademeyer - Die Polisie (The Police).

Each dealt with the responsibility of the White group in a particular sphere of life. A simultaneous Afrikaans-English interpreting service operated throughout the conference.

In a talk on his impressions of the conference, Dr. J. F. Holleman, Director of the Institute for Social Research, University of Natal, subsequently said it was apparent from the discussions that members of Sabra were realizing with a sense of urgency that the racial situation was going from bad to worse; that there was not unlimited time to find an answer; and that the gap between the paper solution of the Tomlinson Report and the implementation of apartheid in the hands of the Government had widened rather than narrowed.

The most important resolution, passed with only one dissentient vote by the conference of some 340 White persons, was that a meeting should be held with African leaders in an endeavour to create a more favourable mental and moral climate in which a fresh and realistic search could be made for a practically attainable plan for separate development that would be acceptable to both sides. The conference ended with calls for a purposeful speed-up in the application of the policy of separate development; and for missionary work, firstly to enlighten the electorate in order that no government need fear criticism if it devoted large sums of money to the development of facilities for Non-Whites in their own areas,
and secondly to convince White and Non-White in South Africa, and the outside world, of Sabra's sincerity. Originally it was planned to hold the meeting with Africans in the latter part of 1958, but - apparently owing to internal disagreements - the meeting has been postponed to 1959. At the time of writing the question of how the Africans to be invited should be selected had still to be decided.

At the time of the conference it was announced that the Minister of Native Affairs, Dr. H. F. Verwoerd, had resigned from Sabra.

VIEWS OF CERTAIN OTHER PROMINENT AFRIKANERS
In his book No Further Trek(4), Professor P. V. Pistorius, Professor of Greek at the University of Pretoria, discussed the ideological Afrikaner nationalist movement aiming, he said, at group survival and group supremacy, and preferring the interests of the group to those of the nation. He talked of a close alliance between the Dutch Reformed Church and the ideology of the Afrikaans-speaking group. In South Africa, he said, the absolute priority given to sectional values had brought about a totalitarianism of the spirit: the greatest excesses of intolerance were usually directed against the members of the group who did not fall into line with the general ideological trend.

Yet, he pointed out, no group could survive if the nation and the people as a whole were to perish, as they must if group stood against group and sectional ideology against sectional ideology. How, he asked, could we expect to preserve even the outward appearances of our civilization and way of life in the face of a rising Bantu nationalism, (of which the Europeans had been the architects)?

(14) Published by the Central News Agency, 1957.

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There were many in the Church and outside, Professor Pistorius stated, who openly admitted that they were aware of the struggle within them between conscience and the demands of group loyalty.

The hard fact, he said, was that the integration of White and Black had passed the point of no return. There was no further trek. The Bantu and the European were together in the country, and together they must remain. They must either solve their problems or perish, and the solution of those problems could not be one-sided. It must be done by sincere co-operation.

All South African groups would share in a common disaster if the present tension was not eased by a controlled opening of the outlets for Non-Whites. These outlets should be determined in calm deliberation between a united White South Africa and the leaders of the Bantu, Professor Pistorius stated.

In an address to the Afrikanerkring in Melville, Johannesburg, on 27 May 1958(15), Professor L. J. du Plessis of Potchefstroom University said that he was a supporter of territorial segregation, but considered that the country was still busy with integration. If segregation failed, as possibly it could fail, only integration would remain. But this should for the present be left as an alternative. Strenuous efforts should be made to expand the Bantu areas (land which had so far been bought for them was a drop in the ocean), and to develop this land very much faster than was envisaged in the Tomlinson Report. These areas would have
to be consolidated in units which could become politically independent - perhaps in five or six states.
Just as the East had become free, so without a doubt Africa's nations must also become free, Professor du Plessis continued. Why did we not welcome the new free nations as we wanted to be welcomed as a free nation? he asked. It was because our conscience was guilty. We ourselves were the oppressors of NonWhite nations. The European in South Africa had taught the Bantu the principle of freedom, but no White leader had said to them, "Let us help you to become free". They should be told this as soon as possible. It was imperative to exchange views with Bantu leaders. "To come to an arrangement with them we must have discussions with the leaders they indicate, and not those we choose. It will not help to confer with the chiefs. They are the servants (huurlinge) of the Government. The rebels and the agitators are the people with whom we must speak. They represent the strivings of the Bantu". Shortly after this speech had been made, a Cabinet Minister attacked "parlour intellectuals who venture to question the Nationalist policies". Clear reference was evident to Professor du Plessis and to Sabra.
(15) As reported in the Star, 28 May 1958.

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Professor S. du Toit, a prominent theologian also from Potchefstroom University, then sent a letter to the Transvaler(6) in which he rejected the implication that intellectuals should not be free to say what they thought, even if their views did not coincide with the official party line. While not necessarily agreeing with everything his colleague had said, he stated, "The right of free expression of opinion may not be limited".

STUDY OF CHRISTIAN RESPONSIBILITY IN AREAS OF RAPID SOCIAL CHANGE
An inter-racial study group, consisting of clergy from the Dutch Reformed and English-speaking Protestant churches as well as lay experts, was set up in South Africa to consider the question of Christian responsibility in areas of rapid social change. This was part of an inquiry being conducted by the World Council of Churches in 27 countries. Parallel papers were prepared by the Afrikaans- and the English-speaking members on five aspects of the situation - the life of the Bantu in tribal and rural areas, their urbanization, the question of common citizenship, the theological basis for social work, and the role of the Church. Further papers were then prepared on the position of Coloured and Indian people. At a meeting held during May 1958 these papers were discussed, and a very considerable measure of agreement was reached. A study group then drew up combined reports, which have been sent to the World Council of Churches.

WORK OF THE CONTINUATION COMMITTEE OF THE CONFERENCES CONVENED BY THE DUTCH REFORMED CHURCHES
An account was given in earlier issues of this Survey(7) of the discussions held during 1951 and 1952 between European representatives of the Dutch Reformed
Churches and members of their Sotho, Zulu and Xhosa congregations. Thereafter, in 1953 the Federal Missionary Council of the Dutch Reformed Churches convened a three-day conference of White leaders of South African Protestant Churches to discuss the problems which they as Christians face in applying Christian principles in a multi-racial country. In the following year a second such conference, this time on an inter-racial basis, was convened, and an inter-racial continuation committee was appointed to consider how practical effect could best be given to the recommendations and suggestions made, and to arrange further such conferences.

The Continuation Committee has been planning a second conference of White and Non-White leaders of Protestant churches and missions in South Africa to discuss the papers prepared by the inter-racial study group on the social and political responsibilities.

(16) Published in the issue of 26 June 1958.

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of the churches. This will take place in September 1959. Delegates from the World Council of Churches will be invited, and the findings of the conference will be transmitted to that body.

Another inter-racial gathering, being planned by the Continuation Committee to take place in July 1959, is a conference to which all African writers of merit - from journalists to poets - will be invited, as also will universities and commercial and mission publishers. The Committee is also working for the extension of literacy work among Africans.

Mr. F. J. van Wyk, Assistant Director of the S.A. Institute of Race Relations, has been honorary secretary of the Continuation Committee since its inception.

MEETING OF THE REFORMED ECUMENICAL SYNOD

Some thirty churchmen, representing Calvinist opinion in seven countries, gathered in Potchefstroom during August 1958 for the Reformed Ecumenical Synod, held in South Africa for the first time.

One of the major matters discussed was the Synod's attitude to race relations.

Three reports, by independent committees in Scotland, the Netherlands and South Africa, had been prepared, and a further representative committee was appointed to consolidate the findings for the Synod's consideration.

The main points on which an agreed statement was later issued were:

(a) The fundamental unity of the human race is at least as important as all considerations of race or colour. No particular section of the community can regard itself as placed in an exceptional position or consider itself superior to any other race.

(b) In one's attitude to other races, the rule of God must apply, so that for others there must be the same love as for oneself.

(c) All races will enjoy the salvation of Christ.

(d) Believers of all races should receive one another as brothers and sisters in Christ.
(e) It is the duty of the Church to avoid even a semblance of an attitude which can engender estrangement between the races. The Church should guard against any impression of discrimination which could imply the inferiority of the other race.
(f) The Church has a duty to scrutinize the policies of secular governments in the light of the scriptural precepts.
(g) No direct scriptural evidence can be produced for or against inter-marriage.

THE LAMBETH CONFERENCE
The Lambeth Conference of Anglican Bishops throughout the world was held in Britain during August 1958. Several of the resolutions passed dealt with race relations in South Africa.

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The Bishops considered that complete segregation was now impracticable for economic and industrial reasons, even were White South Africans willing to surrender much of their own land for occupation by Non-Whites. If the present pattern of a multi-racial community was to continue, they resolved, any form of apartheid was less just and righteous than a gradual and mutually enriching growth into responsible interdependence of all the races which now shared this fertile and beautiful land.

The African must be allowed his fair and just share in the government, the development and the rewards of the natural resources of the country of his birth and citizenship. He must be encouraged and enabled to advance to the highest level of industrial attainment, and should be free to combine on terms of equality with his fellow-workers of all races through trade unions and similar associations.

Systems of migratory labour, that break up family life, were condemned by the conference.

THE BLACK SASH
The Black Sash, originally established to defend South Africa's constitution, recognized at a conference held during June 1958 that the passing of the Senate Act had proved that the present constitution was inadequate to "fulfil the needs of our multi-racial society". Members decided to work towards a new constitution, in which the fundamental rights of all sections of the population would be effectively safeguarded.

THE PROGRESSIVE ASSOCIATION
The formation and broad policy of the Progressive Association were described in an earlier issue of this Survey(8).

During the year now under review the Association formulated in more detail its franchise and constitutional proposals, which are, in brief:
(a) Minimum first step
Every person, whatever his colour, should be able to vote on the common roll for parliamentary, provincial council and municipal elections if he has a matriculation certificate, or pays normal income tax, or if by virtue of the position he occupies within the community or for any other approved reason he is
deemed by a representative tribunal to merit the vote. Those who do not qualify for the common roll should be placed on a communal roll and should elect 20 representatives to the House of Assembly. The Senate should be reduced to 44 members (11), and a further eleven senators (who may be White or Non-White) should be elected by the voters on the communal roll. These voters would similarly elect representatives to provincial and municipal councils.

(b) Second stage
A national convention, representing all elements of the population, should be convened to draw up a new constitution, in terms of which the franchise would gradually be extended by progressively lowering the qualifications for admission to the common roll. The Senate would be reconstituted, the present loading and unloading of constituencies abolished, and the different groups would be protected from domination by one or the other.

THE SOUTH AFRICAN INSTITUTE OF RACE RELATIONS
The work of the Institute of Race Relations over the past year, and the action taken by it in specific circumstances, is described in the course of this Survey. Before proceeding to deal with individual topics, however, it is convenient to make mention of the Institute's general approach and convictions, as expressed during the year under review.

ATTITUDE TO THE POSSIBLE THREAT TO MULTI-RACIAL MEETINGS
The statement issued by the National Executive Committee of the Institute, following the possible threat to multi-racial meetings contained in the Native Laws Amendment Act of 1957, was set out in the last issue of this Survey. Briefly, the Committee decided unanimously that the Institute should continue exactly as before to do the work it had always done for better race relations in South Africa. This statement was unanimously ratified by the Institute's Council in January, 1958.

CIVIL LIBERTY IN SOUTH AFRICA
At this meeting, the Institute's Council concerned itself, among other things, with civil liberties in South Africa. Papers were presented by Dr. the Hon. E. H. Brookes, Mr. D. B. Molteno, Q.C. and the Director, Mr. Quintin Whyte. The findings of Council were:
"The Institute is very greatly disturbed at the continuing inroads on civil liberties in South Africa, the pace of which has been accelerated during recent years. Though the conferring of arbitrary powers on the executive government has been felt
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most of all by the Non-Europeans, it is increasingly affecting the liberties of Europeans also. Freedom of association has been limited, and further limitations threatened. Co-operation in welfare work proceeds under increasing difficulties.

University freedom has been seriously menaced. The classic freedoms - freedom of the person, freedom of speech, freedom of public meeting, freedom to move about freely, freedom to choose one's place of residence, freedom from arbitrary discrimination before the law - have all been gravely curtailed.

"In our opinion these attacks on our civil liberties have been made because they are considered by those responsible for them to be essential to the implementation of the policy of apartheid. The Institute is opposed to this policy and stands firmly for good-will, co-operation and the integration of all the peoples of South Africa in the service of their common country. If apartheid can only be achieved by the sacrifice of liberties which our ancestors felt to be dearer than life itself, then it stands condemned for that very reason, quite apart from the many other arguments which can be brought against it.

"The Institute condemns the tendency to authoritarian government, and to the suppression of the most cherished liberties of the individual, and their replacement at best by mere permits issued or withheld at the discretion of Ministers and officials, without appeal to the Courts. This is wrong in principle and inflicts grave practical injustices on countless individuals."

STATEMENT ISSUED FOLLOWING THE GENERAL ELECTION

The statement issued by the Institute(5) following the general election is set out on page 9.

HOERNL MEMORIAL LECTURE

The fourteenth Hoernl6 Memorial Lecture, entitled The Government of Divided Communities, was given in Johannesburg and in Cape Town during September 1958 by Dr. David Thomson, Master of Sidney Sussex College, Cambridge(').

ANISFIELD-WOLF FOUNDATION AWARD

One of two awards given annually by the Anisfield-Wolf Foundation of America for the best books dealing with race relations was made during 1957 to the S.A. Institute of Race Relations.
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THE CONTROL OF MULTI-RACIAL GATHERINGS AND
GATHERINGS OF AFRICANS
CONTROL IMPOSED, IN 1957
Section 29 of the Native Laws Amendment Act (No. 36 of 1957), which dealt with the presence of Africans at church services, schools, hospitals, clubs or similar institutions and places of entertainment in the so-called White areas, and with the possible prohibition of meetings to be attended by Africans in such areas, was described in the last Survey(1), as were also the provisions of the Group Areas Amendment Act (No. 57 of 1957) which dealt with the attendance of persons of a disqualified racial group at cinemas, restaurants, refreshment or tea rooms and clubs in group areas and controlled areas.

ACTION BY LOCAL AUTHORITIES
Following the introduction of the Native Laws Amendment Bill, a Council for the Defence of Freedom of Association was formed in Durban, representing 59 churches, welfare organizations and other bodies likely to be affected. After hearing representations made by this combined organization, the Durban City Council resolved during December 1957:
"That this Council recognizes the importance of multiracial association for the conducting of community activities; and that the Council for the Defence of Freedom of Association be informed that due consideration will be given by the City Council to the representations made on behalf of the Association if and when the City Council is called upon to exercise the powers conferred upon it by Section 29(d) of Act 36 of 1957; and that the Association be thanked for the manner in which its representatives conveyed its views to the Council".

The National Council of Women planned to hold its annual congress during March 1958 in Rustenberg (Western Transvaal) and was offered the use of the Town Hall there for the occasion. But when the Town Council subsequently discovered that one African delegate would be attending, this invitation was withdrawn. The congress was held, instead, at a guest farm outside the municipal area.

Also during March, the Krugersdorp Town Council resolved to request the Government to ban mixed meetings within its area. It objected to the fact that the Krugersdorp Non-European Child Welfare Society was holding mixed meetings in a church hall in the "White" part of the town.

The Secretary for Native Affairs wrote to ask the Council whether any Europeans had complained that they were affected, and had stated that the mixed meetings were causing a nuisance.

(1) Survey, 1956-1957, pages 17 to 36.
The Council replied that it had received no complaints. (It will be recalled that the Minister may ban a meeting to be attended by Africans in the "White" part of a town only if he considers that the Africans are causing a nuisance, or that their presence is undesirable in view of the numbers involved, and if the local authority concerned concurs. The authorities have no power to ban meetings to be attended by Whites, Coloureds and Indians but not Africans - unless these meetings are deemed likely to obstruct traffic, or to result in public violence, or to further the aims of communism, or unless a state of emergency prevails.)

TRANSVAAL LOCAL GOVERNMENT AMENDMENT ORDINANCE, No. 21 of 1957
The Transvaal Local Government Ordinance of 1939 provided that a city or town council might incur a reasonable amount of expenditure necessary for public entertainment. The Amending Ordinance of 1957 added that if any such entertainment was to be attended both by Non-Whites and by Whites other than town councillors or state, provincial or municipal officials invited in their capacities as such, the prior approval of the Administrator must be obtained. When such approval was requested for a ball to be held to mark the official opening of a new communal hall at Coronationville (Coloured) township, Johannesburg, during March 1958, it was granted on condition that the only Whites to attend should be city councillors and senior municipal officials (without their wives), and that they should have their refreshments separately from the Coloured guests.

CONTROL OF MEETINGS IMPOSED UNDER GOVERNMENT NOTICE No. 2017 of 1953 AS AMENDED
The imposition of control
In terms of Government Notice No. 2017 of 1953, as amended (issued under the Native Administration Act of 1927), the GovernorGeneral may impose control of meetings or gatherings of Africans in any area. The permission of a Native Commissioner or magistrate is then required before a meeting, gathering or assembly at which more than ten Africans are to be present may be held in that area. Certain exceptions are made: Members of Parliament or of Provincial Councils, or those nominated for elections as such, may hold meetings of over ten Africans without obtaining permission, and bona, fide church services, weddings, funerals and sports gatherings are excluded from any ban. Between 1954 and 1957 this control over meetings of more than ten Africans was imposed in the magisterial districts of Mafeking, Port Elizabeth, Humansdorp, Cradock and Marico, in
(3) Section 79 (42).

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urban areas in the Transkei, in the municipal areas of Grahamstown and Kimberley, in Evaton, Alexandra Township, and certain farms in the Waterberg area.
Then, on 12 April 1958 (four days before the General Election) control was similarly imposed in the following districts:
The position was, then, that in none of the major urban areas of the Union was it possible to hold a meeting of more than ten Africans (with the exceptions noted above) unless permission was obtained; and the consideration of requests was a complicated matter, apparently involving the local authority concerned and the police as well as the Native Commissioner or magistrate.

The effect on African organizations was obvious. The African National Congress was prevented from holding its Transvaal provincial congress. Unless they obtained permission (which was not always forthcoming) advisory board members were prevented from convening residents' meetings, and African trade unions from calling members together to discuss new wage determinations and other matters of current interest. It appeared that the conditions imposed, in general, were that the meetings should be held indoors, should be completely non-political, and that members of the C.I.D. should be permitted to attend.

Mixed organizations with African members were affected, too. The Liberal Party, for example, was prevented from holding meetings in Pietermaritzburg and in African townships of Johannesburg. The Institute of Race Relations had to postpone holding a symposium in Johannesburg because of the ban.

But an effect of the relevant proclamations that was not originally foreseen by the general public was that purely White or purely Coloured organizations, too, might be affected. During July 1958 the Black Sash requested permission to hold two public meetings on the Johannesburg City Hall steps, to protest, respectively, against the Special Criminal Courts Amendment Bill(4) and the proposal to increase African taxation. In both cases, permission was withheld. It was reported(5) that the police had stated that, in view of the controversial nature of these measures, the

(4) See page 35.
buildings in Johannesburg. Although the police advised the City Council that it was impossible for them to exercise proper control over open-air meetings, the Council granted permission for these two meetings to be held - and the proceedings were peaceable.

It was reported by the Black Sash() that the private secretary to the Minister of Native Affairs had written to them to say that the Minister had no desire to interfere with the affairs of Europeans where interference could be avoided without prejudice to Native administration. There was no question of the ban interfering with a meeting held in a hall, where the organizers would be able to exclude Non-Whites. Furthermore, instructions had been given that unless there were exceptional circumstances, permission should not be refused for an open-air meeting relating to matters chiefly affecting Europeans.

The fact remained that orders issued under the Native Administration Act (approved by Parliament for the control of Africans) were in practice limiting the democratic rights of other sections of the population. No inter-racial association might without permission hold a meeting, whether indoors or outside, in case more than ten of its African members attended. No purely White or purely Coloured or Indian organization might hold an unauthorized meeting in any place where admission could not be regulated in case this meeting attracted more than ten Africans, even if the latter were only casual passers-by.

The lifting of the ban in certain areas
Numerous requests for the lifting of the ban were made. The Institute of Race Relations, for example, pointed out(), one month after its imposition on 12 April, that the ban had been announced as a temporary measure to forestall possible unrest prior to the general election; but it remained in force, and its maintenance was disrupting legitimate activities.

It was not until 27 June that the ban was lifted in the towns of the Cape and Orange Free State that were affected by the proclamation issued in April 1958, and in Pietermaritzburg. Only two months later, on 29 August, was it lifted in the other areas


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included in that proclamation, and, at the same time, in the urban areas of the Transkei, in Kimberley, and on farms in the Waterberg area. It remained in force in the magisterial districts of Mafeking, Port Elizabeth, Humansdorp, Cradock and Marico, and in Grahamstown, Evaton and Alexandra Township. (The full effects of the Court judgments summarized below are, apparently, not yet clear).

According to a press statement by the Native Affairs Department(8), the Minister wished it to be clearly understood that should similar circumstances as those necessitating the imposition of the ban before the general election again occur, the notices that had now been withdrawn would immediately be re-applied.

The prosecution of certain persons for holding unauthorized meetings attended by more than ten Africans

(a) Grahamstown
The Chairman of the Grahamstown Joint Council was prosecuted for presiding at an unauthorised meeting attended by more than ten Africans. The Secretary and the guest speaker who were also on the platform were not prosecuted. This was the Council's annual general meeting and was attended by approximately ninety persons, of whom eleven were Africans. In the Magistrate's Court an exception to the charge on the ground that regulations framed under the Native Administration Act of 1927 empowered the Minister to control only gatherings of Africans was rejected. The accused was found guilty, cautioned and discharged.

(b) Durban
A different decision was reached by a full bench of three judges of the Natal Supreme Court, in Pietermaritzburg, in the case H. E. Mall and Others vs. Regina. On 6 December 1956 a meeting was called in Durban by the Civil Liberties Defence Committee to raise funds for the defence of those arrested on a charge of high treason. This meeting was attended by some 50 Whites, 150 Indians and 200 Africans. Regulations contained in Natal Provincial Notice 78 of 1933 stipulate that (with certain exceptions) no person shall attend any meeting or assembly of Africans in Durban unless 72 hours' prior notice of the meeting has been given to the Mayor or someone authorized to act for him. No notice of the meeting held on 6 December 1956 had been given to the Mayor. Three Europeans, two Africans and one Indian were charged with contravening the terms of the Provincial Notice, and were found guilty by a magistrate. They appealed against

(8) e.g. Rand Daily Mail, 1 September 1958.

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his verdict on the ground that the Crown had failed to prove that the meeting in question was a meeting or assembly of Africans.
This appeal was allowed. The judges held that if the meeting was held to be one of Africans, by the same reasoning it was a meeting of Europeans and was also a meeting of Indians. Were there, then, three meetings? The meeting concerned could properly be described as a multi-racial meeting at which Africans, amongst others, were present. The word "of" in the expression "meeting or assembly of Africans" could, the judges considered, not be extended to refer to multi-racial meetings.
(c) Port Elizabeth
In June 1956, a meeting of the S.A. Coloured People's
Organization was held in a hall at Schauder (Coloured) Township, Port Elizabeth, to discuss matters of particular interest to Coloured people. The speakers were of various racial groups, and the audience consisted of more than a hundred Coloured people and, by chance, between 16 and 21 Africans.

Three Europeans, two Coloured men and one African were afterwards charged with holding a meeting of more than ten Africans without permission. They were acquitted by the magistrate, who found that the Crown had not established that the meeting was one of Africans. The Eastern Cape Attorney-General then appealed on a point of law, his appeal was upheld by the Supreme Court, and the case was remitted to the magistrate for re-trial.

At the re-trial, after further evidence had been led, the magistrate said that the Crown had now established its case beyond a reasonable doubt. That one would have expected to find only Coloured people present at the meeting was a mitigating circumstance, but was not a defence of the charge, as the necessary permit had not been obtained. The chairman of the meeting, Mr. A. E. L. Heyns, was sentenced to £15 or 15 days, and the others to £10 or 10 days, all sentences being suspended conditionally for 18 months.

The six men, in turn, then lodged an appeal, which was heard by a full bench of the Eastern Cape Division of the Supreme Court in Grahamstown on 15 September 1958(). The judges declared invalid the proclamation prohibiting meetings of more than ten Africans, and the conviction and sentences were set aside.

In 1822, they said, the Cape Governor had restricted freedom of speech; but after a long struggle by the colonists, relief had been granted by an 1848 Cape Ordinance, in the preamble to which the right of freedom of speech was enshrined. When the Native Administration Act was passed in 1927, the provisions of the 1848 Ordinance were still part and parcel of the statute law of the Cape. A similar position pertained in the Transvaal, where an 1894 law restricting freedom of speech had been repealed by the 1914 Riotous Assemblies Act.

The right of freedom of speech was so fundamental that any interference with it could be justified only in special circumstances, such as those covered by the Riotous Assemblies Act and the Suppression of Communism Act, or in times of national emergency. And that was first and foremost a function of Parliament itself. Restricting such a right was beyond the powers of the Governor-General under the Native Administration Act. Although, in terms of this Act, he was given wide powers to control meetings of Africans, those powers were subject to fundamental restrictions. Regulations could not be proclaimed which interfered substantially with the rights of Non-Africans - where the interests of Africans.
were secondary or remote.
The banning regulation was so wide that it covered every
meeting where more than ten Africans were present, whether casually or by
invitation. It thus infringed the rights of NonAfricans and must be held to be
invalid.
It was inconceivable, the judges considered, that when the
Legislature in 1927 empowered the Governor-General to regulate meetings of
Africans, it ever intended to sanction radical and substantial interference with the
right of freedom of speech and lawful assembly vouchsafed to the population
of the Union as a whole.
According to a press report("o) members of the Native
Affairs Commission said that this judgment need not necessarily affect the
administration of the ban in other areas where it was still in force, as it was in
relation to a particular case.
The Department was still considering its full legal effects.
FURTHER EFFECTS OF THE MEASURES FOR THE CONTROL OF
MULTI-RACIAL GATHERINGS
The effects of the relevant provisions of the Native Laws Amendment Act and
Group Areas Amendment Act of 1957 on clubs, cinemas and welfare
organizations will be dealt with in a later chapter of this Survey.
POPULATION REGISTRATION AND PASSPORTS PROGRESS OF
POPULATION REGISTRATION
In speeches made during September 1958(1), the Minister of the Interior said that
the central population register was then about
(0) Star, 22 September 1958.
(1) Senate 8 September 1958, Hansard 5 cols. 1087-90, and Assembly. 10
September.
Hansard 9 cols. 3491-7.

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95 per cent up to date. It consisted of about 4,500,000 names (White, Coloured
and Asian - the register for Africans is kept separately). The work of transferring
records of new births, deaths, marriages, divorces, emigrants and naturalizations
to the central register had not been completed, although swift progress was being
made. As this was done, a cross-check was conducted of details of the records,
which sometimes involved an enquiry into the racial group of the persons
concerned.
As from March 1958 the Division of Births, Marriages and Deaths had been
incorporated into the population register. This avoided duplication, and also two
sets of enquiries into race matters. The issuing of amended birth certificates,
following such enquiries, had been accelerated.
Everyone's name would in due course appear on the population register, but only
those of and above the age of 16 (about 2,841,000 persons) would receive identity
cards. Photographs had been received from 2,100,000 of these people, identity
cards prepared for 1,736,118 of them, and cards issued to 416,744 persons. The
issuing of these cards had started on a large scale only at the beginning of 1958,
when district population registration offices had been opened in Cape Town, Johannesburg, Port Elizabeth and Durban.

The Minister added that the Department of Pensions now demanded that every new application for a social pension must carry the identity number of the applicant (those persons who had not yet received their identity cards might obtain their numbers from the central or local population registration offices). As from 1 January 1959, every pensioner would be required, if asked, to tender his identity card, or, failing this, his number. It was anticipated that increasing use of the system would be made by other Government Departments. The S.A. Nursing Council had decided that all nurses and midwives must in future supply their identity numbers: if they failed to do so the Council would not register them.

VARYING DEFINITIONS OF RACE IN DIFFERENT LAWS

A member of the Opposition(1) pointed out that varying definitions of the racial groups were contained in different Acts. "I understand", he said, "that the Hon. the Minister has tried to settle on one set of definitions, but has been unable to, do so. The result is, Mr. Chairman, that the object of this race classification in the Population Registration Act cannot be achieved, and if this is so, then the whole question should be reconsidered".

The Minister replied(2) that the law advisors were still investigating the matter. The ideal at which he was aiming was that the population registration classification should be valid for

(2) Mr. C. van Ryneveld, M.P., Assembly Hansard 9, cols. 3487-8.

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all other laws, and for the purposes of admission to schools and of the franchise. In the case of the Group Areas Act a further qualification would be necessary so as to cover mixed marriages.

"BORDERLINE" CASES

Dealing first with the White/Coloured borderline cases, the Minister said(3) that of such persons so far dealt with, 1,813 had been classified as White, and 1,155 as Coloured. Of the latter, 98 had lodged objections. The Population Registration Appeal Board had dealt with six of these objections, the Director of Census had reviewed his decision in one case, and the remaining 91 cases were pending. (The Minister did not say what the outcome was of objections heard by the Board).

So far as the Coloured/Asian/African borderline cases were concerned, of the persons so far dealt with 26,614 had been classified as Coloured or Malay, 15,212 as African, and 230 as Asian. Objections lodged numbered 1,594, of which seven had been referred to the Supreme Court, 105 disposed of by the Board, and 32 were withdrawn. The Director of Census had reviewed the decisions made by his officials in 1,054 cases, arid the remainder were pending.

CHANGES OF ADDRESSES

The Population Registration Act provided that changes of address should be entered in the population register. The Minister said that at the stage when the Bill was introduced the system of the continuous registration of voters was in operation, and it was hoped to combine these records. But this system had proved
to be impracticable: the Department of Census had reverted to the system of biennial general registrations with interim registrations. In the circumstances, people's addresses would not be entered in the population register.

GROUPS OF PEOPLE WHO DO NOT FIT INTO ANY RACIAL COMPARTMENT

Another member of the Opposition described a group of people in Durban, who were of Arabic origin, their ancestors having come as slaves from the east coast of Africa. They were later freed, and settled on land on the Bluff, then outside the city boundaries, this land being owned by a Trust to which Indians had subscribed. These people had retained their Muslim religion and culture, and the Muslim community had always accepted them as Indians. But officials had now classified them as Africans, and, furthermore, the land on which they lived had, under the Group Areas Act, been zoned for Whites. The result was that not even their

(4) Col. 3496.
(5) Mr. H. Lewis, M.P., Col. 3470.

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own people, the Indians, could re-establish them elsewhere, at their own cost. The Minister replied that, according to his information, although these people were all Muslims they were not all of the same racial group. Some (who had already received their identity cards) were Africans, and others were Coloured with Indian blood. The latter group had "failed to co-operate with us to be classified".

Another group of people who are encountering great difficulties are the Griquas of the Northern Cape, who have mixed White, Hottentot, Bush, and a little African blood, but who over the years became a distinctive group with a distinctive appearance, speaking the Griqua Hottentot language. They have little contact socially with the Cape Coloured people. In recent years some of the younger ones have inter-married with Africans, and have adopted Afrikaans as their home language. They have, however, been regarded as Coloured: those who draw pensions are paid at Coloured rates, and most of the men hold certificates of non-liability for Native taxation. During 1955 a Population Registration official visited Kimberley, near their headquarters, and classified the Griquas there as Africans. This was an extremely serious matter for them. As well as having to carry reference books, to register service contracts, to obey curfew regulations, to draw pensions at lower rates and pay poll tax, their children would fall under the Bantu Education Act, and would have to be educated through the medium of one of the African languages, completely foreign to them.

They were, unfortunately, ill-advised by the then local representative of the present Captain, Nicholas Waterboer II, and failed to lodge objections against their classification within the stipulated period of 30 days. At the time of writing, their position was extraordinarily confused. They were not Africanis for the purposes of the Representation of Natives Act, yet could not qualify for the Coloured voters' roll. Some of them, while holding certificates of non-liability for
Native taxation, had been issued with reference books making them liable to pay poll tax.

STUDY OF THE EFFECTS ON HUMAN BEINGS OF RACE CLASSIFICATION

During the year under review the Institute of Race Relations published a study of the effects of race classification on people in the "border-line" category (1). The comparatively flexible position prior to 1950, the rigid system then introduced, differences in classifications made under various Acts, and human difficulties and tragedies thus arising, were described. It was pointed out that, (6) Cols. 3481/2.

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although the Minister of the Interior had said (8) that the Population Registration Act was assisting people by removing uncertainty, unease, and "clouds which hovered over them", in fact uncertainty remained, since the Director of Census could at any time reopen a case should-it appear to him that the person concerned was wrongly classified.

It was pointed out, too, that although the Population Registration Act itself contained safeguards against malicious "informing", wide scope to "informers" was in practice given under related legislation. Examples were quoted.

Furthermore, it was shown that the Act operated to prevent friendships across an arbitrarily determined colour line. The appearance of very many South Africans did not furnish conclusive evidence of their racial group. The question of acceptance then became of over-riding importance. Should a man who was initially classified as White, for example, have a number of Coloured friends, he must shun their company if he wished to avoid the risk of being re-classified as Coloured.

The confusion resulting from varying Court decisions on the definition of an African, resulting from a lack of clarity in the Act, was described. Numerous case-histories were given to illustrate the humiliation, hurt and tragedy that the Act has caused in "borderline" cases.

PASSPORTS

Various Non-White persons were granted passports during the year under review, for example, certain churchmen who wished to attend the congress of the International Missionary Council in Accra and the All-Africa Church Conference in Ibadan, and members of the cast of the "Coon Carnival" variety show who were booked to perform in East Africa; but many other applications were refused. Among those refused were applications by three of South Africa's best Non-White university graduates, who had been awarded bursaries for further study at the Oxford, Cambridge and London Universities. None of these students has ever taken part in any political campaign: academic circles believe that the reason the passports were refused is that the bursaries were offered by organizations opposed to the apartheid policy.
There are, in any case, generally very considerable delays before passports are issued to Non-Whites, since their applications are referred by the Department of the Interior to both the police and either the Department of Native Affairs or the Department of Coloured Affairs. Long delays occur, too, when Non-White persons from other countries apply for visas to visit South Africa.


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THE TREASON TRIAL
EVENTS DURING THE RECESS

In the last issue of this Survey(1) an account was given of the arrests on 5 December 1956 and during the few days that followed of 156 persons on a charge of high treason, of the establishment of a defence fund, and of the first stages of the preparatory examination in Johannesburg which, with adjournments, lasted from 19 December 1956 to 11 September 1957. The court then adjourned until 13 January.

On 17 December 1957 it was announced that the charges against 61 of the accused had been withdrawn. Later, after the hearing had been resumed, counsel for the Crown referred to certain remarks made by one of the defence counsel to the effect that the prosecutions were "a testing of political breezes"(2). He had been requested, he said, to tell the Court that the AttorneyGeneral alone had set the proceedings in motion, that he had read every word of the record, and that during the recess he had decided not to proceed against 61 of the accused. The Minister of Justice was subsequently asked in the Senate whether the Government intended compensating these persons for the expenses they had incurred and the loss they had suffered during the preparatory examination. He replied(3) that it would make the administration of justice impossible if in all instances where a case was withdrawn the person concerned were to be compensated. There was, in his opinion, no reason why exception should be made in the case referred to.

THE CLOSE OF THE PREPARATORY EXAMINATION, AND THE CHARGES

The hearing was resumed on 13 January 1958, and on 22 January the Crown called its last witness and closed its case. The formal charges were then put to the remaining 96 accused (95 persons and one printing and publishing company). The main charge was of high treason in that the accused had joined in a conspiracy, and had acted in concert and with common purpose, wrongfully, unlawfully and with hostile intention against Her Majesty the Queen and her Government of the Union of South Africa, to disturb, impair or endanger the existence or security of the said Government by committing hostile acts, or by inciting or instigating others to do so.

Some particulars of the alleged hostile acts were given. They included, inter alia, organizing or taking part in campaigns against existing laws; conspiring together to overthrow the existing Government by the use of extra-parliamentary, illegal
and violent means and advocating the establishment of a communistic state to replace
(1) Page 41 et seq.
(2) Survey, 1956/57, page 44.
(3) Senate, 15 July 1958, Hansard I col. 21.

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it; convening the "Congress of the People" and adopting the "Freedom Charter", and spreading feelings of hostility between Europeans and Non-Europeans.

There were two alternative charges under the Suppression of Communism Act; of performing acts which were calculated to further the achievement of any of the objects of Communism; or of advocating, advising and encouraging the achievement of any of these objects.

The chief counsel for the defence asked whether the Crown was seriously suggesting that a campaign against existing laws was treasonable. The means envisaged for this campaign were extraparliamentary but not illegal, he maintained. The leaders had repeatedly stressed that moral, not physical, force should be employed. If that which the Crown had established, he declared, was evidence of treason, subversion or Communism as defined in South African law, then there was an end in South Africa to all that was implicit in the term democracy. He applied for the discharge of all the accused.

Counsel for the Crown argued that they should all be committed for trial. He maintained that, under a camouflage of innocent and idealistic activities, the accused were engaged in a conspiracy with the aim of replacing the existing form of government by a "people's republic or people's democracy - in other words, a Soviet state". The method by which this change was to be brought about was a campaign of hindering, harassing and obstructing the government until it could no longer function. The various acts which went to make up this campaign might in some cases not in themselves be unlawful, and in others unlawful but not in themselves treasonable. But all these acts, he said, took on a different complexion when considered as part of a concerted plan with the total destruction of the present system of government as its goal.

The accused all pleaded not guilty and reserved their defence. They were committed for trial.

It was later announced that the Attorney-General had declined to prosecute a further four of the accused - three persons and the printing and publishing company - and the charges against one man who was seriously ill were withdrawn.

THE SPECIAL CRIMINAL COURTS AMENDMENT ACT,
No. 18 of 1958

At the end of the preparatory examination the accused at first elected to be tried by a judge and jury; but thereafter chose, as they were entitled to do, to be tried by a judge and assessors. But the Criminal Procedure Act (No. 56 of 1955 as amended) provides that, in cases of treason, sedition, public violence, or certain offences under the Suppression of Communism Act, or of an attempt, conspiracy or incitement to commit such offences, if the Attorney-
General is of the opinion that the ends of justice are likely to be defeated if the accused are tried by a jury, he may recommend that a special court be constituted for the trial. If the Minister of Justice is satisfied with his reasons, the Governor-General then appoints a special court of not less than two or more than three judges of the Supreme Court, whose decision must be unanimous. The constitution of a special court of three judges to try the 91 accused was gazetted on 1 July. The Minister of Justice said later that before appointing this special court he had obtained legal advice. But some doubt was then expressed; and in order to avoid the possibility of the defence raising a technical objection, which might have delayed proceedings very considerably, he had decided to introduce the Special Criminal Courts Amendment Bill, which would place the legality of the special court beyond doubt. In terms of this measure, the words in the Criminal Procedure Act "if the accused were tried by a jury the ends of justice are likely to be defeated" are deleted, and replaced by "if it is in the interest of the administration of justice that the accused be tried by a special criminal court". The powers of the authorities were, thus, widened considerably. It was stated in this new measure that the special court constituted to try the 91 accused would be deemed to be a special criminal court constituted in terms of the Amendment Act.

THE OPENING OF THE TRIAL
The trial opened in Pretoria on 1 August. The Department of Justice arranged a transport service from Johannesburg (where most of the accused were resident); and the Pretoria sub-committee of the Treason Trial Defence Fund undertook to arrange lunches for them. On the first day, the leader of the nine-man defence team applied for the recusal of two of the three judges. One of them agreed to recuse himself on the ground that there was a certain overlap between this case and another with which, as counsel for the police authorities, he had previously been associated. The court then adjourned for a week, during which period the Minister of Justice appointed another judge.

When the proceedings were resumed, the defence excepted to the charges, and alternatively applied for them to be quashed. The leader of the defence team maintained, inter alia, that the prosecution had contradicted itself in certain ways between the indictment and the further particulars of the charges; that the indictment did not fulfil its purpose of informing the accused clearly what the charges were that they had to meet; and that it was difficult to see on what point of law all the accused were alleged to have acted together in concert and with common purpose.


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On 20 August counsel for the Crown made application for certain minor amendments to the indictment to be effected. The defence maintained that these would not relieve the embarrassment suffered by the accused. Judgment on the defence application was given on 27 August. The first alternative charge, under the Suppression of Communism Act, was quashed, and the prosecution was ordered to supply the defence with further particulars relating to the remaining charges. The presiding judge said that if the whole indictment were quashed, the accused would have to await a fresh indictment; and it was in their interests that further long delays should if possible be avoided. The Attorney-General, he said, had seen fit to arrange for a joint trial; but if it should appear that one or more of the accused would suffer prejudice solely because of this, the separation of trials might still be ordered.

After a further adjournment, during which further particulars were supplied to the defence, proceedings were resumed on 29 September. The Crown then applied for the withdrawal of the second alternative charge (also made under the Suppression of Communism Act) leaving only the main charge of high treason. On this charge the Crown applied for the deletion of the words "acting in concert and with common purpose". These applications were allowed. Counsel for the Crown said that the prosecution was relying only on the charge of conspiracy. Even if certain overt acts were proved, in his opinion the accused should all be discharged unless it was also proved that these acts flowed from a conspiracy. The leader of the defence team again excepted to the remaining charge, and alternatively applied for it to be quashed. In reply to a question, he said it was his duty to point out that the Court could not in law be bound by the Crown's submission that if no conspiracy was proved, the accused should automatically be acquitted.

The court then adjourned to enable the Crown to prepare a reply to this application by the defence. When it re-assembled, on 13 October, the Crown applied for the deletion of some of its allegations in the remaining charge; for all of the 700 or so documents listed in the indictment to be disregarded as overt acts; and for leave to abandon reference as overt acts to the more than 700 speeches. Only 20 speeches, of which eight were made by persons who did not figure among the accused, would then have been mentioned in the indictment. Counsel for the Crown said(\textsuperscript{5}) that if the amendments were not granted, the Crown would have to deal with the whole of the defence argument against the main charge, "and quite frankly we are not in a position to do so".

This application was objected to by the defence on the grounds that the accused were misjoined. One of the judges pointed out


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that the defence had objected to four points of the indictment, but that the Crown's amendments covered two of these only. The Crown then withdrew the indictment entirely.

It is understood that a fresh indictment is to be drawn up by the Attorney-General.

MATTERS AFFECTING SPECIFIC GROUPS
COLOURED PEOPLE
THE COLOURED AFFAIRS DEPARTMENT
In terms of Proclamation No. 68 of 1958, the Division of Coloured Affairs was, from 1 April, converted into a Government Department, still under the Minister of the Interior. Its head continues to be Dr. I. D. du Plessis, the Commissioner for Coloured Affairs.

According to the Minister of the Interior(1), the staff of the department consists of 266 Europeans and 227 Coloured people, some of the latter being employed as research or extension officers, clerks or typists. Three of the institutions under the department's control have exclusively Coloured staff.

All Coloured welfare services have been transferred from the Department of Social Welfare to the Department of Coloured Affairs. Similarly, the control of institutions dealing with the care, training and rehabilitation of Coloured children, and of State-aided vocational schools for Coloured students, has been transferred from the Department of Education, Arts and Science; and it is intended that the control of special schools should similarly be transferred(2).

In the speech referred to above, the Minister of the Interior said(3) that the new department would take over only those services that demanded special attention: it was not the intention that its development would be along the lines of that of the Native Affairs Department. Coloured people would everywhere be administered by the general services of the country, for their background was Western. With the Coloured man's "Western background we ought, taking into consideration the policy of apartheid, to keep him as closely to the European as possible".

COLOURED RESERVES AND MISSION STATIONS
The Minister gave some information about the Coloured reserves and mission stations, which, he said(4), are Concordia, Kommagas, Leliefontein, Pella, Steinkopf and Richtersveld in Namaqualand, Eksteenskuil near Upington (Gordonia district), Ebenezer (Van Rhynsdorp), Mamre (Malmesbury), Pniel (Paarl), Genadendal (Caledon), Loar (Ladismith, Cape), Enon (Uitenhage), Mier, Thaba Patchoa (Thaba 'Nchu) and Kylemore (Stellenbosch).

(1) Senate 8 September 1958. Hansard 5 col. 1083-4.
(2) The relevant legislation is dealt with in the chapter of this Survey entitled "Education".
(3) Cols. 1086, 1185.
(4) Cols. 1079-80.

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Eksteenskuil, he said, is an irrigation scheme where the people live on islands. Thaba Patchoa was created as a home for wandering cattle farmers. Development programmes were in progress in the Coloured settlements, Government subsidies and/or interest-free loans being available for the erection of dams, bridges, fencing, boreholes and domestic water supply.

THE ESTABLISHMENT OF CHURCHES IN COLOURED SETTLEMENTS
On 7 March 1958, three Coloured church-wardens of the Calvinist Protestant Church of South Africa were found guilty in the magistrate's court at Springbok,
Namaqualand, of contravening the terms of a Government Notice by holding a gathering of more than five persons without having obtained permission. According to press reports(1) they were each fined £5 or 20 days, suspended for three years. The gathering in question had been a religious service. The magistrate was reported to have said that while he sympathized with the desire of the accused to worship, only one church - the Dutch Reformed Church - was recognized by the (then) Division of Coloured Affairs in the Namaqualand reserves of Kommagas and Concordia.

The background to the situation is this. Other denominations besides the Dutch Reformed Church had from time to time established Coloured mission stations; and according to a press statement by the Commissioner for Coloured Affairs(2), there was a tacit understanding that one denomination would not seek to establish itself in an area developed by another.

The mission stations of Kommagas and Concordia were developed by the Rhenish Mission, but during the war were taken over by the Dutch Reformed Mission Church. Not all the residents became members of the latter church, however.

Meanwhile, the Rev. I. D. Morkel had broken away from the Dutch Reformed Church because, he stated, he could not accept the apartheid policy. He founded the Calvinist Protestant Church of S.A., and many residents of the Kommagas and Concordia reserves became members, the majority of them, apparently, being those who had never joined the Dutch Reformed Church. According to press reports(7) representatives of the Calvinist Protestant Church had several interviews with the Commissioner for Coloured Affairs, at which they sought permission to establish a church at Kommagas.

The decision as to whether another denomination should be permitted to establish itself in a reserve administered by any particular mission is left to the community concerned. The Boards of Management of both Kommagas and Concordia are reported(3)

(1) Rand Daily Mail, 10 March 1958.
(7) e.g. Statement by the Rev. 1. J. Theron, Argus, 22 March 1958,
(1) Cape Times, 20 March 1958,

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to have requested the Commissioner for Coloured Affairs not to grant recognition in their areas to the Calvinist Protestant Church.

These Boards of Control have ten members, of whom six are elected by the registered occupiers of land, and three are nominated by the Commissioner, who also appoints a chairman (a departmental official or the magistrate). The Chairman has a casting as well as a deliberative vote.

New regulations for the control of Coloured mission stations and reserves were gazetted on 25 October 1957. These provided, inter alia, that it is an offence for anyone, unless with the permission of the Commissioner for Coloured Affairs or the magistrate, to hold or address a gathering of more than five persons. Meetings presided over by a Senator, Member of Parliament or of a Provincial Council,
meetings held for official purposes, weddings, funerals, sports gatherings and entertainments are exempt from this provision. So are bona fide religious services conducted by the mission society running the mission station concerned, or by any other church to which a portion of the commonage has legally been sold. Other religious services are exempt only if approved by the Commissioner for Coloured Affairs or the local magistrate after consultation with the mission society and any other church legally established in the area, or if the Board of Management has passed a resolution in favour thereof and such resolution has been approved at a special meeting by not less than two-thirds of the total number of registered occupiers of land in the mission station.

ASIANS

RESTRICTIONS ON TRAVEL
Not only do Indians in South Africa require permits to travel from one province to another, but the permission of the Native Affairs Department is also required if their intended route lies through the Transkei. Such permission is not readily granted.

During December 1957, for example, Mr. A. D. Lazarus, principal of the Sastri College, Durban, heard that an uncle of his was seriously ill in Port Elizabeth. He took the telegram giving this news to the Native Commissioner's office and applied for a permit to travel to Port Elizabeth by the shortest route, along the national road through the Transkei. He was told that the Native Commissioner would require proof that his uncle was really ill. A telegram was sent, at Mr. Lazarus's expense, to the Native Commissioner in Port Elizabeth; but as no reply had been received by noon the following day, which was a Saturday, Mr. Lazarus decided to travel via Bloemfontein instead of through the Transkei. This added about 540 miles to his journey.

Mr. P. S. Joshi, an ex-teacher of Johannesburg, had written several books which were critical of South Africa's racial policies.

RELATIONS: 1957-58

His wife lost her domicile in the Union following an illness contracted during a visit to India. Wishing to visit her, he applied for a passport. He was refused this, but was told that he could apply, instead, for a permit to leave the Union permanently, which he did.

DOMICILIARY RIGHTS OF INDIANS STUDYING OVERSEAS

Indian students attending higher educational institutions in India or Britain have, in the past, sometimes had to return to South Africa temporarily, before the conclusion of their studies, merely to re-establish their domiciliary rights. They have, thus, been involved in heavy travelling expenses.

Early in 1958 the Institute of Race Relations took this matter up with the Department of the Interior, suggesting that if a bona fide student had not completed his course of study overseas within the three years that he might be absent without forfeiting domiciliary rights, and submitted a certificate to this effect from the educational institution concerned, his right of domicile in the Union should not be cancelled.
This suggestion has not been adopted; but the Minister of the Interior made a partial concession, deciding that the validity of certificates of identity of Indian students studying overseas should be extended until the end of 1958.(10)

AFRICANS

NEW ORGANIZATION OF DEPARTMENT OF NATIVE AFFAIRS

It was announced on 20 October 1958 that the Department of Native Affairs is to be divided into the Department of Bantu Administration and Development (Minister - the Hon. M. D. C. de Wet Nel, Deputy-Minister - Mr. F. E. Mentz) and the Department of Bantu Education, under the Hon. W. A. Maree.

As this Survey covers the period 1 October 1957 to 30 September 1958 (unless otherwise stated) the term "Department of Native Affairs" has been retained.

During the period under review the responsible Minister was Dr. the Hon. H. F. Verwoerd.

USE OF THE TERM "AFRICAN"

The Rand Daily Mail and the Cape Times have recently followed the example set earlier by the Post (Port Elizabeth) in making use of the term "African" rather than "Native".

The Government refuses to do so, however, and during the second session of Parliament in 1958 Cabinet Ministers declined to answer questions about "Africans". The fullest explanation of their policy was given by the Minister of Labour (for the Minister of Native Affairs), who said("), "The Minister of Native Affairs

(10) Letter 45/74 dated 24 July 1958 from the Secretary for the Interior.
(11) Senate, 18 July 1958, Hansard 1 cols. 150-1.

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and the Department of Native Affairs, as is clearly indicated by these terms, are concerned only with 'Natives' or 'Bantu' as defined in various Acts of Parliament, while there is no legal definition of the term 'African', which may in its ordinary connotation include persons other than Bantu or Natives or may even only denote a specific category of Natives. To assume therefore that by 'Africans' 'Natives' are intended can eventually only lead to confusion.

"Quite apart from the apparent sentimental or propagandistic motives which are associated with the use of the word 'African' instead of the official terms, and apart from the possible but unacceptable implication that only certain of the inhabitants of the continent or sub-continent can claim Africa or South Africa as their real homeland with the insinuation furthermore that the White people are intruders, and apart from the absence of a satisfactory equivalent in the other official language so that it becomes necessary to fall back upon the official terminology there, it is quite clear that in official dealings, use must be made of terms clearly defined by Parliament".

THE RIOTS COMMISSION, JOHANNESBURG

The rioting that took place in African townships of Johannesburg during September 1957, during which more than 40 Africans were killed or died of wounds, and scores more were seriously injured, was described in the previous
issue of this Survey(2). In view of the gravity of this outbreak of violence, the Johannesburg City Council urged the Government to appoint a judicial commission of inquiry; but the private secretary to the Minister of Justice replied, "It is considered that in view of previous inquiries, which were instituted when similar occurrences took place, and the known facts of the present events, the establishment of such a judicial commission is unnecessary".

The City Council then decided to appoint an independent commission to consider the immediate causes of the riots; the root causes of the conditions of unrest in the south-western African areas which had given rise to the riots; and what remedial measures might be necessary and advisable to avoid similar happenings in the future.

The former Chief Justice of the Union, the Hon. A. van der Sandt Centlivres, headed the commission, the other members, also ex-judges, being the Hon. L. Greenberg (who for a time was Acting Chief Justice) and the Hon. E. R. Roper.

The Johannesburg Town Clerk wrote to the Minister of Native Affairs and the Commissioner of the S.A. Police, asking whether they would permit officials of their departments to give evidence before the commission. These requests were refused. The Commission had no power to subpoena witnesses, and could thus obtain evidence only from those willing to give it, such as City Council (12) Pages 88-91.

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officials, private individuals, and bodies like the S.A. Institute of Race Relations (Southern Transvaal Committee)(3).

In its report, issued in roneoed form in April 1958, the Commission commented, "We have felt ourselves hampered in the task of arriving at the truth by the attitude of the Government and its Departments in refusing to make available to us the information at their disposal and the evidence of their officials and officers . . . One would have thought that, if those authorities considered that they were wholly blameless in respect of the riots, they would have welcomed the opportunity of placing relevant evidence before the commission . . . It is the considered opinion of this commission that it was the moral duty of the authorities who are, after all, the servants of the public, to have placed before the commission all the evidence at their disposal, whether such evidence was favourable or unfavourable".

The commission commented, further, "Judicial commissions of inquiry into riots in Native locations have from time to time been appointed, but so far as we are aware no such commission has been appointed to inquire into riots which took place after the coming into operation of recent legislation and Government directives, which have profoundly affected the lives of Natives and one or more of which, according to a number of witnesses who have given evidence before us, were a serious contributory cause of the riots".

Recommendations made by the commission are dealt with in appropriate chapters of this Survey. It found that among the root causes of the conditions of unrest which gave rise to -the riots were, in brief, the policy of ethnic grouping imposed by the Government; the effects of the migratory labour system; the break-down of
parental authority, rampant lawlessness prevalent in the townships and inadequate police protection; the utmost discomfort in which African passengers travelled to and from work by train; poverty; and lack of educational, vocational training and recreational facilities and employment opportunities for youths.

The Minister of Native Affairs said later(4) that the commission's report had been received but not considered by his Department. It was of no practical value. The City Council's appointment of the commission "was a party political manoeuvre" in opposition to the decision by the Minister of Justice that an enquiry was unnecessary, he said.

In reply to a question as to whether, in view of the findings of the commission in regard to the causes of the rioting, he would reconsider the desirability of ethnic grouping and the migratory labour system, the Minister of Labour (for the Minister of Native Affairs) said(\textsuperscript{11}), "No. My Department is fully aware of the value

(13) The evidence by the Southern Transvaal Region of the Institute of Race Relations was issued as RR. 28/1958.

(4) Assembly. 7 July 1958, Hansard 1 cols. 10-11.


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of ethnic grouping and the reasons for the development of the migratory labour system, and will continue to carry out the Government's policy in this regard".

THE DETERMINATION OF POLICY AND ADMINISTRATION OF NATIVE AFFAIRS IN URBAN AREAS

The Minister of Native Affairs said in the Assembly, on 17 September 1958(16), that Section 147 of the South Africa Act provided that the administration of all Native affairs in South Africa was vested in the central Government, which laid down the policy for the whole country. No town or city council might exceed the powers assigned to it by the Provincial Administration, whose powers, in turn, were laid down in Section 85 of the South Africa Act.

During June a committee of leading members of the Native Affairs Department, under the chairmanship of Mr. F. E. Mentz, M.P., was appointed (in the words of the Department's Chief Information Officer)(7) "to co-ordinate and smooth the administration of Natives in Johannesburg and its environs by friendly discussion". In and around Johannesburg, he continued, the situation was incomparably more complex than anywhere else in the Union. There were one million Africans there, administered by various bodies. The Chief Information Officer is reported to have said, in reply to a question, "The Natives (Urban Areas) Act clearly implies that local authorities act in regard to Native administration as agents for the central Government. Consequently, this committee will be in a position to determine whether the various bodies concerned are carrying out State policy".

AGREEMENT REACHED BETWEEN MINISTER OF NATIVE AFFAIRS AND THE JOHANNESBURG CITY COUNCIL
For some years there has been a dispute between the Minister of Native Affairs and the Johannesburg City Council in regard to priorities for the selection of occupants of new housing schemes. As was described in a previous issue of this Survey, when the Dube Hostel was built, the City Council wanted to use this new accommodation in the first place for illegal lodgers, allowing those who had been lawfully accommodated before the introduction of the "Locations in the Sky" legislation to remain where they were for the time being. But the Minister insisted that at least half of the accommodation should be reserved for those who had to move in terms of this new legislation (which provided that, unless specially authorized, no owner of a building in the "White" part of a town might allow more than five Africans to live on the premises).

(16) Hansard 10 col. 4056.

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Of necessity, then, the Council moved large numbers of cleaners and domestic servants to Dube from blocks of flats, offices, hotels and other buildings in the "White" areas. These men were nearly all Zulus. In terms of the Government's ethnic grouping policy, the illegal lodgers who filled up the remaining accommodation were also selected from the Zulu group. As was described in the last issue of this Survey, and subsequently was confirmed by the Centlivres Commission, the ill-feeling which developed between these Zulus and other residents of the township was the main immediate cause of the rioting in September 1957.

Another dispute had occurred in regard to the new townships to the south-west of Johannesburg. The Minister wanted the area to be developed on a site-and-service basis, for the re-settlement of families from squatter camps and from backyards in White residential areas. The City Council was not in favour of site-and-service schemes, preferring to build permanent housing schemes instead. But when the Minister threatened to withhold two housing loans, the Council gave in and agreed to service 4,000 sites a year. Then, after certain mining companies had offered a loan of £3-million for the rehousing of families from slum areas within existing African townships, the Council applied for authority to build houses for these people on certain of the serviced sites. According to the Minister, a "three-pronged attack" was agreed upon, in terms of which Johannesburg would provide accommodation simultaneously for people from "locations in the sky", squatter camps and backyards, and slums within the townships. Of the permanent dwellings built on the newly-serviced sites, two out of every five must be reserved for people from backyards and licensed premises in "White" areas, the remainder being used for the rehousing of slum dwellers.

Claiming later that Johannesburg was violating the terms of this agreement, the Minister withheld a further housing loan.
Council's building programme had to be very seriously curtailed and it appeared that large numbers of those employed in the housing division would have to be dismissed. Discussions were held with the newly-appointed Native Affairs Department Committee (headed by Mr. F. E. Mentz). An agreement was finally reached. The City Council, while emphasizing that it was a democratically elected body responsible to its electorate, acknowledged that the Act of Union vested the control of Native administration in the Governor-General-in-Council, and acknowledged that it was the Council's duty to obey and carry out the laws of the State. It gave a number of assurances. [Official discussions with Africans, Government policy would not 20] Pages 89-90.

21) An account of these differences of opinion was given in the Assembly by the Minister of Native Affairs, 17 September 1958, Hansard 10 cols. 4058-60.

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be criticized, and City Council employees licensed as officers under the Natives (Urban Areas) Act would carry out Government legislation in administering Native Affairs. Ethnic grouping would be applied. The Council would administer the "Locations in the Sky" legislation in terms of its delegated powers. It would continue to discharge its responsibilities under the influx control and labour bureau systems; and would discuss with the Native Affairs Department the siting of hostels, compounds, beer halls, welfare and other recreational amenities.

On receiving these assurances, the Minister agreed to make further loan funds available for housing.

The Council had discussed with the Mentz Committee its difficulties under the "three-pronged-attack" agreement. Numbers of newly-built houses were standing empty because prospective tenants could not be found for the two out of every five dwellings that had to be reserved for back-yard dwellers and people living on licensed premises in "White" areas. These were, in the main, single men or migrant workers, requiring hostel accommodation rather than family dwellings.

The Minister agreed to a revision of the formula for the allocation of houses.

POWERS TO SEARCH

Government Notice No. 804 of 13 June 1958 provided that any member of the South African Police, or any European authorized officer employed by the local authority of the area concerned, may, without warrant, at all reasonable hours of the day and night, enter into and search any premises in an urban area on which it is reasonably suspected that any African is residing or being employed in contravention of relevant laws or regulations, or on which it is reasonably suspected that there is kaffir beer or any fermenting substance capable of being used in its manufacture.

If, however, the premises are suspected of being under European control, they may be entered and searched without warrant only under the supervision of a European policeman or official. LODGERS IN BACKYARDS OF PREMISES IN "WHITE" AREAS
In terms of Section nine (2) (e) of the Natives (Urban Areas) Consolidation Act (22), domestic servants are exempt from living in locations or hostels only if they are accommodated on the premises where they are employed. No children under twelve years of age may be so accommodated unless with special permission from the local authority.

This provision of the law is being strictly implemented in various urban areas, notably Johannesburg. Illegal lodgers, who are sometimes the husbands of women domestic servants, are being removed to hostels. Women who have small children living with them are being ordered to send these children to relatives or friends outside the "White" parts of the town.

(22) This subsection was inserted in terms of Act 16 of 1955.

RELATIONS: 1957-58

RESTRICTION OF RIGHT OF AFRICANS TO REMAIN IN URBAN AREAS

Section ten of the Natives (Urban Areas) Consolidation Act is being increasingly strictly applied. The position of "foreign" Africans is dealt with later; but Union-born Africans likewise lead precarious lives in the towns unless they can qualify to remain in terms of the stringent conditions dealing with birth, continuous residence or length of employment, set out in Section ten (1) (a), (b) and (c)(23). The effect of this on the labour supply is described in the chapter of this Survey entitled "Employment".

Men who do qualify to remain in a town may have their wives, unmarried daughters and minor sons resident with them; but the sons will not necessarily be granted permission to remain when they turn eighteen years of age. If a youth happens to have been born elsewhere, or to have been educated outside the urban area, or to have stayed with relatives while his father qualified by length of service to remain, he may be refused permission to be in the urban area should no suitable employment be available.

Women, too, are increasingly feeling the effects of Section ten as progress is being made with the issuing to them of reference books, or, pending this, permits to be in an urban area. An unmarried woman as well as a man may be ordered out of a town if she does not qualify to remain, loses her job, and no suitable vacancy exists. A married woman, allowed into the town to live with her husband, may be forced to leave if her husband dies or deserts her. Unless she is permitted to enter employment she may be ordered to go to stay with her guardian - and it is possible that this guardian is a total stranger living in one of the reserves.

The effects of influx control are felt particularly severely in the Western Cape, since Africans are more recent arrivals there than they are in other parts of the Union, and, consequently, since comparatively few qualify to remain in terms of Section ten (1), (a), (b) or (c). Numbers of case-histories are given in a Memorandum on Some of the Effects of the Implementation of the Natives (Urban Areas) Consolidation Act, the Group Areas Act, and Other Restrictive Legislation, produced by the Cape Western Regional Office of the S.A. Institute of Race Relations in May 1958, following an investigation of 1,525 cases over a period of six months. There has
been much disruption of family life in the Western Cape as Africans in squatter camps, or in areas set aside for other groups under the Group Areas Act, are "screened" prior to their removal to proclaimed African townships near Cape Town, or, alternatively, back to the reserves.

PROCLAMATION No. 95 of 1958

It was stated in the previous issue of this Survey (page 60) that, in terms of Proclamation No. 79 of 1957, the Natives (Prohibition of Interdicts) Act had been applied to orders issued under influx control regulations. This proclamation was withdrawn by Proclamation No. 95 of 1958, dated 25 April.

ENTRY INTO LOCATIONS OR AFRICAN TOWNSHIPS

Section nine (9) (b) of the Natives (Urban Areas) Consolidation Act, inserted in 1957, states that (except in the course of his duty as a state or municipal employee, or in carrying out his functions under any law) no person shall enter any location, Native village or hostel without the permission of the official in charge. During April 1958 an African woman was charged with having entered Langa township, Cape Town, without a permit. It transpired that she had gone there to attend a court of law. The Additional Native Commissioner, in acquitting her, said that when a law was unambiguous, as was Section nine (9) (b), it must be interpreted strictly unless this created an absurdity. But it would be absurd to say that a person attending court needed a permit, whether that person was concerned in a case, or was an advocate, attorney or representative of the Press.

POSITION OF HOLDERS OF CERTIFICATES OR LETTERS OF EXEMPTION

In terms of Government Notice No. 1747 of 8 November 1957, all African men in the Union and South-West Africa were required to possess reference books by 1 February 1958. The position of holders of certificates or letters of exemption caused much confusion. Different Native Commissioners gave quite different versions of the legal results of taking out reference books. It became apparent that the Africans concerned should have asked the local Native Commissioner to enter in their reference books particulars of the types of exemption to which they were entitled, but, because of the uncertainty, many did not do so.

The Institute of Race Relations investigated the situation and issued three explanatory memoranda, RR. 43/58, RR. 55/58 and RR. 63/58.

Letters of Exemption

Letters of exemption, granted under Section 31 of the Native Administration Act of 1927, could be applied for up to 1934, when their issue ceased. They were granted by the Governor-General, and were issued to fairly large numbers of Africans in Natal, and to far smaller numbers in the Transvaal and Orange Free State. They exempted holders from "such laws, specially affecting Natives, or so much of such laws, as may be specified in such letter". In general, the pass laws in every province, the registration of service contracts, and, subject to certain
provisos, the Natal Code of Native Law were included. Holders could apply for endorsements exempting them from curfew regulations.


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The position of holders of letters of exemption since 1 February 1958, so far as can be ascertained by the Institute of Race Relations(2”), is this. They should have retained the letter, and applied for a green-covered reference book, in which particulars of the letter should have been entered by the Native Commissioner. If the holder was, in terms of his letter, exempt from Native law and custom, and, consequently, from the rights, immunities, powers and authorities vested in the Governor-General, he continues to be so exempt. It appears, however, that exemptions previously granted from the urban service contract system have to a certain extent been cancelled. Any African who enters into a contract of service must have the particulars recorded in his reference book; but holders of letters of exemption apparently are not required to have their books signed monthly by their employers.

Exemptions granted from the pass laws had fallen away earlier, in 1952, when legislation was passed(6) enabling any African to visit a town for up to 72 hours, but stipulating that all those wishing to do so for over 72 hours must obtain permits, and also that those wishing to travel to a town to seek work must first obtain permission from the labour bureau nearest their homes. Exemptions previously granted from the curfew regulations have fallen away in all cases except for owners of immovable property worth £75 or more within an urban area outside a location. All others must now make individual application to the Minister if they wish to have permanent exemption.

Registered Parliamentary Voters in the Cape
Registered Parliamentary voters in the Cape were previously exempt from Native law and custom, the urban service contract system and the pass laws. Their present position is the same as that of holders of letters of exemption, except that they were required to take out brown-covered reference books unless they qualified for green-covered books by virtue of being recognized chiefs or headmen, teachers whose salaries are paid or subsidized by the State, professors or lecturers at a university or university college, ministers of religion who are marriage officers, advocates, attorneys, medical practitioners or dentists. Except for the colour of the cover, the two types of reference books are identical. The only difference is that an African being issued with a brown-covered book must give his finger-prints, while one receiving a green-covered book may furnish a specimen of his signature instead.

(25) The Native Affairs Department was asked to check the result of the investigation, but, at the time of writing, had not replied.

Exemption Certificates

Exemption certificates, granted under Proclamation 150 of 1934, could be applied for up to 1952, after which year they were no longer issued. They were granted automatically on application by Africans falling within defined categories, and could be obtained by others who possessed certain qualifications and were, in the Native Commissioner's opinion, suitable persons. Holders of exemption certificates were exempt from the registration of service contracts and did not require travelling passes. They could apply for exemption from the curfew regulations.

These men were given the choice of surrendering the certificates and taking out green-covered reference books, or of retaining them and accepting brown-covered books. The effects of either course of action appear to be identical. All Africans who enter into contracts of service must now have the particulars recorded in their reference books; but it appears that certain categories of persons are not required to have their books signed monthly by their employers - these are owners of immovable property worth £75 or more within an urban area outside a location, owners of land in a township legally established before 1913, approved chiefs or headmen, ministers of religion who are marriage officers, teachers whose salaries are paid wholly or partly by the State, professors or lecturers at a university or university college, medical practitioners, dentists, advocates, attorneys, notaries public, conveyancers, policemen, warders, municipal policemen, and clerks or interpreters in State or provincial service.

There were other categories of persons who previously qualified for exemption certificates but who apparently no longer qualify, even partially, for exemption from the registration of service contracts. These are members of advisory boards, ex-service men, and Africans falling outside any of these classes who, in the Native Commissioner's opinion, were suitable persons. Independent professional men falling outside the classes approved by the Minister, and independent businessmen, are now treated as daily labourers and must report to the authorities each month for their reference books to be signed.

As is explained above, exemptions from the pass laws fell away in 1952, and, except for owners of immovable property worth £75 or more in an urban area outside a location, all those wishing to have permanent exemption from the curfew regulations must apply afresh to the Minister.
Official registration units arrived in Durban, Springs and Benoni for the purpose
during the period when the ban on meetings of more than ten Africans was in
force.(8). Employers were circularized, and many of them instructed their women
employees to register for reference books. Pensioners were advised to do so.
Although many women boycotted the proceedings, very large numbers in each of
the cities visited by the officials did present themselves for registration.
It is not yet compulsory for African women to possess reference books, but is
likely to become so when the registration units have made further progress.
Pensioners may be required to produce their reference books or to give their
official identity numbers after the beginning of 1959(“”). As will be described
below, early in 1958 the S.A. Nursing Council sent out registration forms for
completion by all trained and student nurses and midwives, on which these
women had to state their official identity numbers and their classification under
the Population Registration Act. African nurses had to register for reference books
in order to obtain their identity numbers. This caused great dissatisfaction
amongst African members of the profession throughout the country and led to
demonstrations in Durban and at Baragwanath Hospital, Johannesburg.
Thereafter, the Nursing Council announced that African nurses not yet in
possession of their identity numbers need not furnish them.
Permits to be in urban areas
Section ten of the Natives (Urban Areas) Consolidation Act was in 1952 made
applicable to African women as well as to men. In terms of this section, certain
categories of women may qualify to remain in urban areas (Sub-sections (1) (a),
(b) and (c)), and others may be permitted to do so by the local authority concerned
(Sub-section (1) (d)).
In the past, permits have generally not been issued to women who qualify to
remain, since there is proof in the official location or township records that they
are legally in the area. If challenged by the police, they can refer the policeman to
the Location Superintendent. But in Cape Town "exempted" women have been
(27) Hansard 1 col. 92.
(=2) See page 24.
(21) See page 30.
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informed that it is to their advantage to obtain documents proving their right to be
in the urban area. These documents must be produced on demand to an authorized
officer.
Strictly speaking, all local authorities should issue permits to women allowed to
be in the area under sub-section (1) (d); but few have in fact done so. Early in
1958 the Institute of Race Relations circularized the major municipalities to find
out what the position is.
It appeared that permits are issued in the Cape Peninsula, Vereeniging, Springs,
Boksburg, Randfontein, Roodepoort / Maraisburg, Port Elizabeth and
Bloemfontein, and that "Letters of Privilege" are issued in Durban and
Pietermaritzburg. Specimens of these documents were sent by most of the local
authorities concerned.
Conditions differ considerably from town to town. The permits are producible on demand by an authorized officer in the Cape Peninsula, Springs, Boksburg and Pietermaritzburg, but not in most of the other areas. In all of the towns except Durban the period of validity of the permit expires on the termination of the holder's present employment: in Durban an annual endorsement by the Location Superintendent is required. In general, the employer's name and address and the date of engagement and discharge must be recorded. Local labour requirements are taken into account when the permits are issued - in some towns only women willing to work as domestic servants or washerwomen are admitted. The make-up of the permits, and the amount of detail to be entered, varies greatly from town to town. The official intention is that all these documents should eventually be replaced by reference books.

A voluntary permit system for women was introduced in Johannesburg during August 1958, following a Supreme Court case in which the judge said that although an African woman was not required by law to seek employment through the labour bureau, she could be called upon by any policeman to show her authority to be in the area. The onus would be upon her either to produce a permit or to prove that she was entitled to live in the area through qualifications of birth, continuous residence or length of employment. Then, in October 1958, teams of officials arrived in Johannesburg to commence issuing reference books. Opposition to the "pass" system for women African women in numbers of areas - Bloemfontein, Port Elizabeth, Durban, Paarl and Middledrift, for example - have continued to express their opposition to the "pass" system, sending deputations to the Native Commissioners or municipal officials for the purpose. Recent events in the Zeerust area and in Johannesburg are described later.

RELATIONS: 1957-58
At its conference in Rustenburg during March 1958, the National Council of Women of S.A. resolved:
(a) to ask the Minister of Native Affairs to amend the law so that failure to produce a reference book on demand should not be a criminal offence;
(b) to request the Government to repeal the relevant sections of the Natives (Abolition of Passes and Co-Ordination of Documents) Act No. 67 of 1952 as amended, and the Natives (Urban Areas) Consolidation Act No. 25 of 1945 as amended, whereby African women are required to carry reference books and/or permits, because of the discontent caused by the disruption of family life consequent upon unnecessary imprisonment for technical infringements of these Acts, and the "endorsement out" of urban areas of African women under influx control regulations;
(c) to work in every way possible, both publicly and privately, to promote improvement in African family life.
Mrs. V. M. L. Ballinger, M.P., in a speech in the Assembly on 17 September 1958(30), drew attention to the "frightful hardships which this (the permit) system
is causing” in Cape Town. She described one of the cases that had been reported to her. Returning to Nyanga after a hard day’s work, an African woman was stopped by a policeman and asked to produce her permit. She had left this at home, mainly for safe-keeping. Although she said she could produce it within minutes, she was arrested, given no opportunity of making arrangements for her children's care, and taken to a police cell, where she remained without food or even water until the next day, in spite of the fact that a friend, to whom she managed to send a message, brought her permit to the police station. On the following morning she paid £3 on admission of guilt - some 37 per cent of her monthly wages.

A large deputation of African women had come to see her a few days previously, Mrs. Ballinger continued. They said that women were constantly being asked to produce their permits; that the policemen did not allow them to go into their homes to collect their papers; that they were given no opportunity of making provision for their children; and that they were lodged in police cells where from one day to the next they never saw a woman wardress. They were handled all the time by men.

The Minister of Native Affairs asked for details of the case described by Mrs. Ballinger(”). He said(32) that he had read a report of a similar case in the Cape Times and had immediately caused inquiries to be made. "I will not allow such conditions to exist if they can be prevented”, he said. The Native Commissioner had advised him that the allegations made by the deputation of women were distorted. Minor incidents had been exaggerated.

The Minister said, "The example was quoted here of a few women who were detained in the Langa police cells because they were in the location illegally. They deliberately contravened the regulations there. The investigation which I caused to be instituted has shown that the cell accommodation there is not what it ought to be. The position will be rectified by the construction of 'new offices".

The Black Sash in Cape Town is creating a fund to be used for bailing out African women who are arrested for pass offences. Immediately a report of such an arrest is received, whatever time of the day or night it may be, one of the Black Sash members will go to bail the woman out. In co-operation with the Legal Aid Bureau, a panel of lawyers is being formed to give legal defence.

Demonstrations in Johannesburg

Teams of officials began issuing reference books to women in Johannesburg on 16 October. While thousands did present themselves at the pass office to obtain their books, many others showed vehement objection to the system. Between 21 and 28 October large numbers of African women, many of them carrying babies on their backs, took part in processions and demonstrations, ignored police warnings to disperse, and cheered when they were eventually arrested. Close on
2,000 arrests were made - mainly of women from Sophiatown and Alexandra Township.
At the time of writing, nearly 600 of them had been discharged for various reasons, others were awaiting trial, and close on 900 had been convicted of various offences. Severe sentences, of three to four months' imprisonment, or three months or a fine of up to £50, were passed on eleven women convicted of arranging an illegal procession as a protest against the Natives (Abolition of Passes and Co-Ordination of Documents) Act, or of assaulting other women who had accepted reference books. The majority of those convicted were found guilty of offences such as taking part in a public procession without the Town Clerk's permission, or of causing an obstruction and failing to disperse when ordered to do so, or of contravening traffic by-laws as a protest against the law. Sentences varied from £3 or one month to £40 or two months in a number of cases part of the sentence was suspended conditionally. Many of the women lodged notices of appeal.

THE LEGAL STATUS OF AFRICAN WOMEN
The Institute of Race Relations (Southern Transvaal Region) has set up a committee to investigate the legal status of African women, with a view to making representations to the authorities.

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for the amendment of the law. Matters such as rights of inheritance, the guardianship and custody of children, their maintenance, tenancy of houses in urban areas and other economic and political questions are being studied. Although it is often anachronistic in modern urban conditions, in certain circumstances Native law, rather than common law, may be applied by Native Commissioners. The whole situation is at present confused and uncertain.

"FOREIGN" AFRICANS
Until the Native Laws Further Amendment Act, No. 79 of 1957, was passed, Africans from the High Commission Territories who were lawfully in an urban or proclaimed area by 1955 could remain there as long as they stayed uninterruptedly - apart from short holidays. But this concession was removed in 1957, the new provision coming into effect from 6 May 1958. As from that date, Africans from the High Commission Territories have been treated as "foreign" Africans: that is, they require the written permission of a representative of the Secretary for Native Affairs, which is granted only with the concurrence of the local authority concerned, to live or work in an urban or proclaimed area. Local authorities were instructed that no family houses were to be allocated to these people - if permitted to be in the urban area they were to be considered as migrant workers and housed in hostels or single accommodation unless they lived on their employers' premises. Exceptions are apparently made in some cases, for example if the African concerned already occupies a house and his family is already legally in the area, or if he is in possession of a certificate of Removal of Disabilities(3). But in these cases the African would be accommodated in a letting scheme only (i.e. not a home ownership scheme).
"Foreign" Africans, including those from the High Commission Territories, who were already lawfully employed in an urban or proclaimed area when the relevant
provisions of the law came into effect (the date depends on when the area was proclaimed) are in general given permits to remain indefinitely, whatever type of work they are doing, as long as they remain with the same employer and do not return to their homes on holiday for periods longer than six months. If they do stay away longer than this, or if they lose their jobs, they are treated as new entrants. Employers in the Cape are being urged gradually to substitute Coloured or Union African labour for that of "foreign" Africans. Except in the Cape, favourable consideration is given by the Department to the application of an African from Rhodesia or Nyasaland to remain in an urban area if he can prove without doubt that he has been residing in the Union since a date prior to September 1935.


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"Foreign" Africans whose permits are not in order, or who for any other reason are endorsed out of urban or proclaimed areas, are sent to a "reception depot" at Nigel. There they are given a choice of three things:
(a) They may accept a contract to work for a farmer for not less than six months, during which time they may not leave the farm.
(b) They may go straight back to their country of origin - which in some cases has become a "foreign" country to them.
(c) They may stay at the reception depot until their relatives send them money for the fare home.

In the three northern provinces new entrants are allowed into urban or proclaimed areas as agricultural labourers only, for example on small-holdings in proclaimed peri-urban or rural areas. (They are not permitted to enter the Cape Province at all). The Chief Information Officer of the Native Affairs Department said in a recent interview(") that certain semi-rural areas on the outskirts of Johannesburg had been proclaimed in order to control the movement and congregating of Africans who, unable to get into the municipal area, squatted on its borders. With the exceptions noted above, "foreign" Africans may not be employed as domestic servants in urban or proclaimed areas, although in fact, if not in theory, there is a shortage of domestic servants in these areas, urban Africans preferring other types of work. They must all return to their countries of origin for at least six months every two years, and before they are re-admitted must produce proof that they have been to their home territories. In the interview mentioned above, the Chief Information Officer is reported to have said, "We do not want them to become naturalized and we do not want them to become too attached to the Union. They must go home so that they do not break their ties with their own country". When a man returns after a sixmonths' absence he is allowed to return to his previous employer to work as an agricultural labourer provided that no local African is available for this post.

The Minister of Native Affairs estimates that there are some 800,000 "foreign" Africans in the Union("). Included in this figure are some 217,300 migrant
workers employed by members and contractors of the Witwatersrand Native Labour Association.

The story of the "Basket-makers of Korsten" has been told in previous issues of this Survey(36). They are well-known to be an industrious, law-abiding group, who until 1955 ran a large and prosperous cabinet-making, furniture, basket making and tinsmithy business in Korsten, Port Elizabeth. They had emigrated to the

(34) Star, 26 September 1958.
(35) Statement quoted in Modern South Africa, news-sheet for April 1958 issued by the
S.A. Director of Information, London.

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Union some nine years previously from Southern Rhodesia via Bechuanaland, and in the meanwhile some of them had married Union women.

In 1955 the Minister of Native Affairs ruled that they were to return to Rhodesia at their own expense. They pleaded that they could not possibly raise the amount necessary for the train-fare; but were told that they would be able to do so if they sold their assets. An extension of time was, however, granted, and in October 1956 it was agreed that they would leave in their lorries in batches of about 25 every fortnight.

The Minister recently said(7) that only one or two groups did leave. He then warned Port Elizabeth to move them; but the City Council, instead, asked permission to settle them in its site and service scheme at New Brighton. "Now all of a sudden", the Minister continued, "... telegrams are pouring into my office asking me to be humane and ... allow these people to settle in the locations. Of course I have said 'No' ... In the meantime great feeling has been aroused and Rhodesia is expressing doubts as to whether they are really Mashonas and whether they have any obligations towards these people. Now we are faced with a lengthy process of obtaining the necessary documents to prove what is the actual place of origin of these people, although in our own minds there is absolutely no doubt on this point. Under these circumstances I have said I shall temporarily set aside certain trust lands for occupation by these people, but they must leave Port Elizabeth".

ILLEGAL SQUATTING

In terms of Proclamation 380 of 20 December 1957, the provisions of the Natives (Prohibition of Interdicts) Act, No. 64 of 1956(3"), were applied to all orders issued under Sections three and five of the Prevention of Illegal Squatting Act of 1951(").

BANTU AUTHORITIES

The establishment of Bantu Authorities

The Minister of Native Affairs said on 15 September 1958(40) that by then 1 territorial authority, 8 regional authorities, 26 district authorities and 298 tribal authorities had been set up.
The territorial authority is that for the United Transkeian Territories, now known colloquially as the Gunya (authority) instead of the Bunga (council). The 26 district authorities are also in the Transkei: according to issues of the Government Gazette published during the year under review, 14 of them are now operating in accordance with the provisions of Proclamation 180 of 1956('

(37) Assembly, 17 September 1958, Hansard 10 col. 4063.
(40) Assembly, Hansard 10 col. 3821.

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Four regional authorities have been established during the past year:
(a) the Ndlambe regional authority in the East London District,
in respect of the areas of the Nowawe, Nxaruni, Kwelera,
Kwenxuna and Tsholomnqa tribal authorities;
(b) the Keiskammahoek regional authority, in respect of the areas
of the Keiskammahoek North and Keiskammahoek South
tribal authorities;
(c) a regional authority for the Matatiele and Mount Fletcher
Districts;
(d) a regional authority for the St. Marks and Xalanga Districts.
The four that had been established previously are in the Western Transvaal and
Orange Free State.
According to the Government Gazette, 52 new tribal
authorities were set up during the past year, 21 of them in Natal and Zululand, 18
in the Transvaal, 8 in the Northern Cape and
5 in the Eastern Cape.
In some cases there is a considerable re-shuffling of the homes of tribesmen
before tribal authorities are set up. The issue of Bantu for June 1958 describes this
process in the Bosbokrand (Bushbuck Ridge) area, which, it states, was in "a
remarkable state of ethnological confusion". It quotes Dr. N. J. van Warmelo as
having said that the area was "a confused tangle of tribes and sections and
scattered units, very often no larger than just a family . . . immigrants from all
quarters of the compass... peaceably living side by side, and the boundaries of
tribal influence intersecting and overlapping to an amazing extent".
The process of establishing Bantu authorities, then, is in some areas analogous to
the implementation of the Group Areas Act for other racial groups. According to
Bantu, in the Bushbuck Ridge area "some difficulty has been experienced by the
Department in sorting out ethnological groups in such a way that the greatest
number of each chief's subjects should belong to the same clan as himself . . . and
thus form a suitable basis for and a step towards the establishment of Bantu
authorities".
In this area, Alfred Mashego was appointed chief of about 3,000 Africans living
on two farms. They are mainly of a branch of the Pulana tribe, but there are some
Shangaan-Tonga elements too. At the installation ceremony, according to the
Bantu report, the Native Commissioner said that all of these people would henceforth be under Mashego's authority, and it would not be possible for some of them to ignore him as had happened in the past. There would still be a right of appeal from the chief's court to the Native Commissioner; but unless persons summoned to do so first attended the chief's court they might find that judgment had been given against them by default.

The Native Commissioner quoted from the speech made by the Minister of Native Affairs in introducing the Second Reading

RELATIONS: 1957-58

of the Bantu Authorities Act, when he said(42) that through this new system there would be "a restoration of the prestige, the authority (of the chiefs), and also a restoration of the recognition of Native law and custom".

Chiefs and Headman

According to the Estimates of Expenditure to be Defrayed from Revenue Account for the year ending 31 March 1959(11), there are 500 chiefs and 1,200 headmen who receive allowances. Four of the chiefs receive amounts of more than £500 a year (the most highly-paid one has a salary of £1,258), nine are paid between £100 and £300 a year, and the rest are on a scale ranging from £30 to £96. Additional amounts of £15,000 are provided for bonuses, and £1,000 for presents and rations to chiefs, headmen and followers.

Headmen are paid on the scale of £24 x £6 - £42 a year; and £5,000 is set aside for additional allowances to them for tax collecting.

According to a press statement by the Chief Information Officer of the Native Affairs Department(“), four special schools for the senior hereditary sons of chiefs and headmen are to be established, at Arabie in the Nebo district of the Northern Transvaal, at Tsolo in the Transkei, at Rustenburg in the Western Transvaal, and at Qwkaka in the Empangeni district of Natal.

The entrance qualification will be a Standard 6 certificate and the minimum age will be 15. The course will take two years. In the first year it will include Bantu languages, the two official languages, general science, agriculture, social studies, religious instruction, music and singing. The following year the students will study agriculture, commercial arithmetic, book-keeping, office routine, general administration, the administration of justice and health education.

The official Fortnightly Digest of South African Affairs for 8 May 1958 stated that the syllabuses would make provision for comprehensive training in legislation affecting Africans, the duties and functions of a chief, the implementation of the Bantu Authorities Act, the duties and functions of school boards and committees, and the drafting of estimates.

The first school is expected to open at the end of 1959.

The Native Affairs Department has acquired a house at Vlakfontein for the accommodation of chiefs who are officially invited to visit Pretoria. A number of chiefs from the Transkeian Territories stayed there during September 1958 while they were engaged in discussions about their areas with departmental officials. Sight-seeing tours were arranged for them.

(42) Hansard Vol. 76, 21 May 1951, col. 9808.
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Representatives of chiefs in urban areas
The Hon. M. D. C. de Wet Nel, M.P. (then Deputy-Chairman of the Native Affairs Commission) is reported(45) to have said, at a Zulu ceremony in Nongoma, that senior Bantu authorities would be invited to nominate representatives in the towns where their tribesmen lived, to look after their interests. Final choice of the representatives would be made by the Department.

Deposition of chiefs and banishment of tribesmen
Section two (7) of the Native Administration Act of 1927 as amended empowers the Governor-General to depose any person who had been previously recognized or appointed by him as a chief or headman.

In the Assembly on 18 July 1958("), the Minister of Native Affairs laid on the table a list of 35 chiefs or headmen who had been deposed since 1 January 1955 in terms of this section. The reasons for their deposition were throughout of an administrative, and not a political, character, he said. The reasons were given in each case: they included ill-health, mental abnormality, cojiviction on a criminal charge, addiction to alcohol and dereliction of duty, weak administration and general unsatisfactory conduct over a long period. In the case of the Acting Paramount Chief for Sekhukhuneland, described below, the official reason was "weak, vacillating leadership causing friction within the tribe and resulting in disorder and lawlessness".

As is mentioned later, there have been allegations that certain chiefs have been deposed because they opposed the Bantu authorities system. A question designed to elucidate this matter was put to the Minister of Native Affairs in the Senate on 5 September 1958(47). On his behalf the Minister of Labour gave details relating to the deposition of eleven chiefs or headmen. In three of the cases only had tribal authorities been established in the areas concerned: one of these three chiefs was mentally deranged; the second, prior to his deposition, had been consulted in regard to the establishment of a tribal authority and had agreed to this, and the third had not been consulted in the matter, but his successor had agreed.

In the other eight cases, where no tribal authorities had yet been established, two of the deposed chiefs or headmen had not been consulted about the setting up of these authorities. Of the rest, four had agreed to this, and two were undecided.

Further questions were asked in the Senate about the banishment of Africans(48). Section five (1) (b) of the Native Administration Act of 1927 as amended provides that the Governor-General may order the removal of an African from one place to another if

(44) Star, 14 August 1958.

(45) St2r, 4 and 10 December 1957.
(46) Hansard 1 col. 514.
(41) Senate Hansard 4 cols. 995-6.
RELATIONS: 1957-58
this is deemed expedient in the public interest. The Minister of Labour said that eight Africans had been served with such orders in 1955, eleven in 1956, and nine in 1957. They had been moved from the Pietersburg, Benoni, Rustenburg, Peddie, Marico, Evaton, Sekhukhuneland, Bergville and Lydenburg areas to the Lower Umfolozi, Mtunzini, Mafeking, Vryburg, Letaba, Nelspruit, Hlabisa, Sibasa, King William's Town and Keiskammahoek areas. They had been in the places to which they were removed for periods varying from 3 years to 8 months. The removal orders had been tabled in Parliament, and the grounds for the removal of these persons were reviewed annually and at any time upon application. Two of the deportees had been permitted to return to their homes.

Section twenty-nine (bis) of the Natives (Urban Areas) Consolidation Act of 1945, inserted in 1956, empowers local authorities to serve removal orders on Africans whose presence in their areas is considered to be detrimental to the maintenance of peace and order. The Minister said that five such removal orders had been served in 1956, and one in 1957. (Removal orders served in terms of the Riotous Assemblies and Suppression of Communism Acts are not included: no recent figures are available relating to these).

Following the allegations made in 1956 about Frenchdale(9), there had been public concern about the conditions under which the deportees are living. In the Assembly on 15 September 1958(50) Mr. W. P. Stanford, the Parliamentary representative elected by Africans of the Transkei, mentioned the case of Jackson Nkosiyane, who had been removed from Tembuland to Zoutpansberg Farm 3176. But, Mr. Stanford said, money sent to him there from the Transkei had been returned, the envelope being marked "address unknown". There was great anxiety among his friends and relatives. Banglizwe Joyi, also from Tembuland, had been sent to Louis Trichardt. He had written to say that he was living there in a small, rat-infested room and was practically starving as he received an allowance of £2 a month only and had to support a wife and three children.

During October 1957 the Institute of Race Relations wrote to the Secretary for Native Affairs, making various suggestions designed to ease the lot of deportees. In reply to certain of these points, the Secretary stated that the Native Commissioners of the areas concerned were in constant touch with the deportees. Their families were permitted to join them at their new places of residence, the expense being paid by the Government. There was no restriction on visits: rail warrants were provided within reason for close relatives. The deportees might communicate with whom they wished.

(49) Survey, 1955-56, page 68.
(50) Hansard 10 col. 3768.

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No reply was made to suggestions by the Institute that, before being removed from their homes, the deportees should be given time to collect their personal effects and to give instructions as to the care of their affairs; and that adequate accommodation should be provided for them in their new places of residence, where they should be assured of a reasonable standard of living.
Senator L. Rubin put a series of questions to the Minister of Native Affairs on 19 August 1958, in an attempt to obtain further information(51). Little more was forthcoming, however. When asked what period of time was allowed the deportees to attend to personal affairs before leaving, the Minister of Labour, on his colleague's behalf, said "A reasonable time depending upon circumstances". When asked whether steps were taken to ensure that the deportees were able to earn a livelihood, and if so, what steps, the Minister replied "Yes; employment is found or lands are allocated or an allowance is paid, depending upon circumstances".

Attitudes to the Bantu Authorities system
(a) Tembuland
There has been unrest in Tembuland for some years. In the Assembly on 15 September 1958(52), Mr. W. P. Stanford, Parliamentary representative in a constituency including this area, said that Tembuland had been torn asunder by Bantu authorities because the people did not want to be split up into Bomvanaland, Tembuland and Emigrant Tembuland, as the Department was doing to facilitate administration and the introduction of the Bantu authorities system.

According to other reports, the people were restive, too, over Government plans for the reduction of stock. Officials charged with introducing betterment schemes are often responsible, too, for implementing the Bantu authorities and Bantu education schemes; all these measures become linked in the minds of the people, and opposition to one of them may develop into a general feeling of resentment.

Mr. Stanford said that in 1957 the Tembus appointed a deputation to go to Pretoria to inform the Department that they were opposed to the introduction of Bantu authorities. Members of the deputation reported afterwards that they were told they were free to reject the system, but that if they did so they would lose educational and other services that would otherwise be provided.

By March 1958 the Tembus had appointed no tribal representatives to the proposed Bantu authorities. Meanwhile, leaders of the deputation that had been to Pretoria were campaigning against the new system and the splitting of the tribe. Four of them, Jackson Nkosiyane (secretary to Chief Sabata), Bangilizwe Joyi (a minor chief), Twalimfene Joyi and Ngolombane Sandla were subsequently deported, on the grounds that they were causing dissension in the tribe, assuming the prerogative of the chief, and opposing Government measures for the welfare of the people.

In March 1958 the Under-Secretary for Native Affairs (Native Areas) held an enquiry into the affairs of the tribe. Thereafter it was announced that Chief Sabata would be officially recognized as Paramount Chief of the Tembus (he had previously been the de facto Paramount), but that Matanzima, while accepting Sabata's suzerainty, would be recognized as chief of the emigrant Tembus.

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(51) Senate Hansard 3 cols. 529-30.
(52) Hansard 10 cols. 3766-7.
The Under-Secretary is reported(\textsuperscript{\textdagger}) to have said that one of the reasons for Jackson's deportation was that at the inquiry he had read out a statement, purporting to be by Chief Sabata, which was highly critical of two Government officials. In fact, the Chief had had nothing to do with this statement, and the allegations against the officials had proved to be without foundation.

In the Assembly on 15 September 1958 the Minister of Native Affairs said(\textsuperscript{\textdagger}) that the trouble in Tembuland had started long before there was any mention of the institution of Bantu authorities. By means of the arrangements made in regard to the chieftainship the Department had achieved a settlement that had defied all previous attempts at solution. There was now "not only peace, but joy in Tembuland", he maintained.

(b) Further unrest in the Transkei

Mr. Stanford talked of opposition to Bantu authorities in other parts of the Transkei\textsuperscript{55}. On 26 June 1958, he said, a meeting was convened at Lady Frere, which was to have been addressed by the Chief Native Commissioner (Transkei) and Chief Matanzima. But after five minutes both of them had to leave because the people present refused to have anything to do with the new system.

On 12 August 1958, Mr. Stanford continued, the Chief Magistrate called a meeting at Cala, to instal two minor chieftains. Paramount Chief Sabata was present. This meeting broke up in disorder after members of the audience had insisted that they did not want Government-appointed chiefs.

In August 1957 the Department selected Potswana to be the chief of the Bacas in the Mount Frere district. It was announced that the installation ceremony would take place at Mnyemeni. Over 600 Bacas gathered at the meeting place. When the Native Commissioner arrived he was warned not to appear before the people, for fear of violence. Eventually Potswana was installed in the magistrate's office at Mount Frere; but the people refused to acknowledge him as their chief.

(54) Hansard 10 col. 3821.
(55) Col. 3766.

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He had been told, Mr. Stanford said, that in the Mount Ayliff district a chief who accepted Bantu authorities had been assaulted, and the homes of certain of his followers who accepted the system had been burned.

In his reply to the debate, the Minister made no comment on these remarks of Mr. Stanford's.

(c) Sekhukhuneland

Recent events in Sekhukhuneland are described below.

(d) Summing up

Mr. Stanford said(\textsuperscript{\textdagger}) that when the Bantu Authorities Act was debated in the old Transkeian General Council in 1955, although there were misgivings among certain of the councillors, the majority accepted the new system because they felt it would give them greater autonomy in their own areas. But when Proclamation 180 of 1956 (which disestablished the General Council and set up Bantu authorities in the Transkei\textsuperscript{57}) was gazetted, its terms caused a feeling of
widespread dismay and disillusionment. Mr. Stanford gave details showing that at no less than 25 different points of importance in the system the Minister or his officials had administrative or executive control over the activities of the new authorities. "Little wonder", he continued, "that after this disillusionment came resentment. That resentment has been expressed more and more in various places, and cannot be easily shrugged off . . . These disturbances are more widespread than is commonly known and are of a grave nature".

During an earlier debate(8), Mr. Stanford had alleged that the Minister's object had been to get the tribesmen to accept Bantu authorities with a minimum of fuss, because it could then be said that they accepted the system of their own volition. But if they were not prepared to do so, then pressure was brought to bear "they are told that they won't get schools or financial support for this, that or the other, that they won't get their chief's salary raised, or they are even told that they may be given another chief". If they still do not accept, Mr. Stanford continued, the leaders of the opposition to the new system are banished summarily.

On 17 September he said(9) that there was in many areas an apparent acceptance of the system because the chiefs and headmen were not in a position to say that they did not want it. "Many of those chie..." he maintained, "are having great difficulty to-day in keeping a middle course between attacks from all their people, saying 'We don't want any of this', and the threat from the side of the Government that they will be deposed".

Shortly before Mr. Stanford made this speech, an account had appeared in the issue of Bantu for August 1958 of a speech

(56) Cols. 3764-5.
(58) Assembly 9 July 1958, Hansard 1 cols. 73-4.
(59) Assembly, Hansard 10 col. 3769.

by the Chief Native Commissioner (Western Areas) at the installation of Chief Walter Mothlabane of the Bagamaedi tribe in the Taung area. Talking of the duties and responsibilities of a chief, he is reported to have said, "Above all, a chief..." he said. He is required at all times to cooperate loyally with the Native Commissioner and other officials, because by virtue of the position he holds, he is the local representative of the Government. He should, therefore, not strive for popularity, but try to do his duty according to the law". It was his experience, the Chief Native Commissioner continued, that chiefs and headmen sometimes agreed with measures explained to them at the Native Commissioner's office, but did not always carry out their undertakings afterwards, or were not prepared to defend these measures at the Lekhotla. "The Government expects every chief to state clearly his support for State policy in public", he said.

The Minister replied to Mr. Stanford("o"), "It is absolutely untrue that pressure is exerted by the withholding of schools or the withholding of finance from them or by appointing other chiefs just because they refuse to institute Bantu authorities". He said, too("1), "Of course we try to convince the people of the benefits inherent
in the establishment of a Bantu authority. We most certainly tell them what the benefits are and what powers are accorded to a Bantu authority, but in no case is compulsion used. The people who have been deported have not been deported because they oppose the establishment of Bantu authorities, but because they have created a disturbance in their community”.

The Africans of the Transkei, the Minister maintained, had not expected that they would immediately attain self-government. “We are engaged in a process which takes time”. The new system was a process of guiding the Africans towards self-reliance. "It is not true", he said, "that the Bantu of South Africa or the Bantu of the Transkei or the Bantu of the Ciskei are dissatisfied with the opportunities for development which have been given to them. They are co-operating very nicely and are even taxing their own people to an astonishing degree for the development in their own society. The few agitators ... do not know what is going on in the minds of the mass of the people”.

EVENTS IN THE ZEERUST AREA (MARICO DISTRICT) The course of events

The early events in the Zeerust area which later culminated in rioting were described briefly in the last issue of this Survey(“2). The story, as pieced together from numerous sources, appears to have been this.

In the Marico district, adjoining the Bechuanaland border, is the Baphurutse Reserve of Linokana (Many Streams), and a number of scattered African villages. Abraham Moiloa is the recognized senior chief of the people in this area, who were until recently a peaceable, law-abiding community.

It is said that in about 1952, eight tribesmen complained to the then Native Commissioner that they considered Moiloa to be lax in the administration of tribal discipline; but that the complaint was not considered to be serious and was merely filed away. Some four years later, however, a new Native Commissioner came across the document and instituted an enquiry.

He is said shortly afterwards to have told Moiloa that teams of officials were coming to the Zeerust area to issue reference books to women, and to have asked him to use his influence to persuade the women to accept these books. Moiloa is reported to have been unwilling to do so.

Acting on instructions, Moiloa called a kgotla in April 1957 which was addressed by the Chief Native Commissioner for the Western areas. At this meeting, Moiloa was told that he must desist from carrying out the duties of a chief, and must leave the area within 14 days for Ventersdorp or Vryburg.

When the registering officials arrived, only a minority of the women presented themselves, and the fact that they had done so caused great resentment amongst the rest. Eventually the tempers of the women flared up, and they collected and destroyed a large number of the reference books that had been issued.
The husbands of many of these women work in Johannesburg, returning at weekends or whenever they can afford the fare. Hearing of the unrest, numbers of them visited their homes during April to attend a tribal meeting, at which there was violent criticism of "passes for women" and certain other aspects of Government policy. Anger mounted against the chief's uncle, Michael Moiloa, and three of his henchmen, who were said to have been traitors to the tribe and to have betrayed the Chief; they were sentenced to death, taken to a deep pit, and ordered to throw themselves down it. At this stage the police arrived, and their lives were saved. The police made large numbers of arrests: eventually 25 persons were detained and the rest released. After a lengthy Supreme Court hearing, five were convicted of attempted murder and sentenced to terms of imprisonment ranging from three to five years. Some of the others, were given a nominal fine for holding an unlawful gathering, and the rest were discharged.

Trouble continued in the reserve. It is said that contributions were demanded towards the costs of defence of those who had been arrested and that some people who refused to pay, or who had accepted the "passes for women" system, were assaulted or had their huts burned down. A church was set alight because some of its members were suspected of accepting reference books, and

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a school was boycotted because the teachers had done so. Further reference books were burned.

Firm action was taken by the authorities. A riot squad of the police arrived. The school that was being boycotted was closed down, as was the post office. Numerous arrests were made. The registering officials continued their activities under police protection. It is said that the police raided dwellings at night and handled the people roughly.

Boaz Moiloa was offered the chieftainship, but refused because the rightful chief was still alive, and the consent of the tribe, expressed at a properly-constituted kgotla, was necessary for any change.

In spite of the police action, pass-burning episodes continued, for example at Gopane's village. When certain women were pointed out to the authorities as being responsible, a crowd of others said, "If they are guilty, we are also, you must arrest us all". Over 200 of them, it is said, were taken to Zeerust, where chaos developed at the charge office.

On 5 November 1957, Government Notice 2017 of 1953 was applied to the African areas near Zeerust, thus rendering unauthorized meetings of more than ten Africans illegal. The following week the appointment of a one-man commission to investigate the causes of unrest was announced. The tribesmen organized a petition for the return of the chief, the re-opening of the school and post office, and the suspension of the issuing of reference books to women; and large numbers of them attended the opening of the hearing by the commissioner, Mr. H. Balk.

When the hearing was resumed after a short adjournment, many hundreds of women from the villages set out to attend. They were turned back by a force of some forty policemen who set up a road block, and by eight military aircraft
which flew low, weaving and twisting just above the women's heads. It is said that a few women who were injured in a police baton charge were forced to cross the Bechuanaland border for treatment at Lobatsi Hospital, because they were prevented from going to Zeerust.

Such episodes exacerbated their feelings, and further passes were burned, for example in the villages of Witkleigat and Motswedi. Arrests followed. More than thirty women were found guilty in the magistrate's court at Zeerust, and were each sentenced to a fine of £50 or 6 months' imprisonment. Their appeal to the Supreme Court against these sentences was dismissed: they pleaded that they could not raise the money to pay such large fines; but the judge is reported to have said that smaller fines would not have had the necessary deterrent effect.

By the end of 1957 the Baphurutse had been completely split into pro- and anti-"passes for women" factions. Africans allege that the police mobile squads took under their wing the "pro-

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Government" chieftains, Edward Lencoe for example, allowing them to form bodyguards; and that these bodyguards beat up workers returning from Johannesburg at weekends, and men and women who were opposed to the reference-book system.

The tempers of the Johannesburg workers flared when they heard that their women-folk were being assaulted. During the Christmas holidays numbers of them descended on the villages and burned down the huts of those people considered to be responsible. Edward Lencoe, who had meanwhile been promoted to be senior chief, was a special target for their indignation. He was not present (he said later that he had gone off to fetch the police), but one of his councillors was murdered, his wife was assaulted, and his house and motorcar destroyed.

Further huts were burned during the New Year holidays. Many more people were arrested; the Zeerust gaol was crowded out and numbers of those detained were sent to the prisons in Pretoria and other towns.

Two further major incidents occurred. On 25 January 1958 an African member of a party of policemen conducting investigations at Gopane was attacked, and his assailant was then shot. Tribesmen rushed to the scene, stoning the policemen, who opened fire. It is reported that four Africans were shot dead and that another died of wounds.

The pro-Government chief Israel Moiloa, and several others, had been holding tribal courts before which women who had been active in opposing the pass system and people who were considered to have obstructed the authorities were summoned. It is said that women received sentences of £5 or two goats, and men of up to £20 or two head of cattle, and that hundreds of pounds were collected by the chiefs in this way. Many people fled the area. Some of Israel Moiloa's followers sought refuge on the Trust farm Braklaagte, about five miles away. It is said that on 12 March they were rounded up by the police and forced to return at a jog-trot all the way; that they then appeared before Israel Moiloa's court and were fined.

Further action taken by the Government
(a) Disestablishment of local council
A local council for the Baphurutse Reserve had been set up in 1929. The period of office of certain members expired on 30 September 1957, when elections were due. But by then the tribe was completely split into factions for and against "passes for women".
Proclamation 390 of 1957 was gazetted, stating that because of the unrest in the area, and of the fact that the tribes there were not prepared to participate in elections, thus making it impossible to maintain the activities of the local council, this body was disestablished. Its employees, assets, liabilities, rights and obligations were transferred to the S.A. Native Trust.

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(b) Proclamation No. 52 of 1958
A very lengthy proclamation, No. 52 of 1958, was gazetted on 28 February 1958. To summarize, it stated that it had been made to appear to the Governor-General that in certain Native areas there were campaigns by certain organizations and individuals to subvert, resist or interfere with the authority of the State and of the chiefs. Unrest had resulted. Those responsible either visited the Native areas from outside, or departed from those areas to other centres, with the object of furthering the campaigns and agitation. It was thus considered desirable to prevent such campaigns by introducing regulations which would have the force of law in any area which might from time to time be specified by the Minister of Native Affairs by notice in the Gazette. Part I, or Part II, or both, of the regulations, read with Part III, might be applied. These regulations are as follows.

Part I
(i) Any African not resident in a prohibited area who enters it without a permit from the Native Commissioner will be guilty of an offence. In deciding whether a permit should be issued, the Native Commissioner may consult the local chief or headman. Appeal lies to the Chief Native Commissioner, whose decision is final.
(ii) Anyone in a prohibited area who makes any statement, verbal or in writing, which (A) has the intention, or is likely to have the effect, of subverting or interfering with the authority of the State or any of its officials, or of any chief or headman;
(B) contains any threat that any persons will be subject to any boycott or will suffer any violence, loss, disadvantage or inconvenience on account of his loyalty to the State or any of its officials or any chief or headman, shall be guilty of an offence.
(iii) Every chief, headman and adult person aware of the unlawful presence of any African in a prohibited area must report forthwith to the Native Commissioner, or
else will be guilty of an offence.

Part H
Any African resident in a prohibited area who absents himself therefrom without a permit from the Native Commissioner, or from a chief or headman authorized to issue such a permit, will be guilty of an offence.

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Exceptions to this regulation are made in the cases of medical practitioners visiting patients, or Africans required to appear before a court of law or requiring to visit any Government office.

Part III
(i) The period of validity and purpose for which they are issued must be stated on all permits. A holder is to report his arrival or departure to the chief or headman.
(ii) The onus of proving whether or not he is resident in an area lies on the African concerned.
(iii) Maximum penalties for contravention of the provisions listed above are:
I (i) or (ii) - A fine of up to £300, or imprisonment up to three years, or both.
I (iii) or II or III (i) - A fine of up to £100, or imprisonment up to six months, or both.
If an African is convicted under I (i), any motor vehicle used for his conveyance may be forfeited to the State (unless the owner was unaware that it was being so used).
In terms of Government Notice No. 326, also of 28 February 1958, Part I of this proclamation, read with Part III, was applied to African areas in the Marico District. Press reporters were no longer permitted to visit these areas.
(c) Banning of the African National Congress
As the Government considered African National Congress "agitators" to be largely responsible for the troubles in the Marico District, the terms of Proclamation No. 67 of 1958 (summarized on page 14), were on 17 March 1958 applied to the African areas of that district.
(d) Further deportations and bans
According to Press reports("), three further Africans have been deported from or banned from visiting the Zeerust area, among them Boaz Moiloa, who had earlier refused the chiefta;- -hip when Abraham Moiloa was ordered to leave.
An Anglican priest, the Rev. Charles Hooper, and his wife were refused permission to remain in the area. Mr.
Hooper is reported to have stated(4) that he had said or done nothing to persuade women to take or not to take reference books. "But I made no secret of the fact that I hated and despised the means which were being employed to make the we men take the reference books".

(63) New Age, 6 March and 12 June 1958.
(64) Rand Daily Mail, 10 March 1958.

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Refugees from the Zeerust area
Large numbers of people, including many women and children, fled from the Zeerust area during the disturbances. Some sought temporary refuge on the farms of Europeans, while others crossed the border into Bechuanaland.

Reports of their numbers varied considerably: some estimated that several thousands had taken refuge across the border; the Chief Information Officer of the Native Affairs Department is reported to have said in March 1958("5) that about 250 "could have" crossed during the previous ten days; and the Minister of Native Affairs said later in Parliament("") that their numbers could not be determined with any accuracy because a proportion of the population was usually absent from their homes for labour and other private purposes. "It is estimated, however", he added, "that at no time more than 700 out of a population of about 34,000 were away from the area for whatever reason".

Most of the crops in the Marico reserves were left untended during the troubles, if planting was done at all, and much hardship will result. Many of the refugees left their cattle behind. Several hundreds of them are reported to have gone to the villages of Lobatsi and Ramoutsa in Bechuanaland, where a minority only could find work. The rest are said to be in very great need of clothing and food.

The trials
The cases of Africans from the Zeerust area who were charged with minor offences, such as holding or attending unauthorized meetings, were dealt with comparatively soon by magistrates' courts; but about 200 persons(""), charged with murder, attempted murder, arson or public violence occurring towards the end of 1957 were remanded for trial by the Supreme Court. At the time of writing, some had been in custody for ten or more months. Few could afford bail, and in any case this was granted only to a very small number of women who had tiny children.

The Circuit Court visited Rustenburg during August and September 1958 to hear some of the cases. On 22 August(8) five persons were convicted of assault with intent to murder, and public violence, another 15 being acquitted. Sentences of six months' imprisonment were imposed, leave to appeal being granted. In passing sentence, the judge is reported to have said that there had been widespread resentment against the issue of passes to women. The atmosphere in the area had been "one of menace", and the people's resentment was "exacerbated by the tyrannical attitude of the chief".

(6,) Rand Daily Mail, 8 March 1958.
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On 10 September(9), eight people were found guilty of public violence, another four being acquitted. Seven of the eight were sentenced to a year's imprisonment and the eighth, a juvenile, to six strokes with a light cane. In passing sentence the judge is reported to have said that he was taking into account the fact that the people concerned had already been in custody for nine months.
Further trials were in progress at the time of writing.
EVENTS IN SEKHUKHUNELAND The Background
This account of events in Sekhukhuneland is based, as is the Zeerust story, on reports and information received from numerous sources. The Minister of Native Affairs was asked whether he would appoint a commission to enquire into the unrest in Sekhukhuneland, but replied(7"), "It is not necessary as the Native Affairs Department is fully aware of the causes".
Sekhukhuneland is a reserve midway between Pietersburg and Middelburg in the Transvaal. The de facto, suzerainty of the Bapedi chiefs has for many years been accepted in the area, although it is inhabited, too, by large numbers of the Bakone tribe. All these people live in scattered villages under Bapedi or Bakone sub-chiefs. The present Paramount of the Bapedi is a youth aged about 13: Moroamoche Sekhukhune was appointed as Acting Paramount during his minority.
With a view to the setting up of Bantu authorities, the Government has been attempting to re-settle the Bakone people in the Nebo district in the south of Sekhukhuneland, leaving the Bapedi in the northern Schoonoord district; but this process has by no means been completed. Ill feeling apparently developed: Native Affairs Department spokesmen claimed later that the Bapedi, who were non-progressive, were resentful of interference with their "domination" of other groups. As in other areas, resentment of a Government measure such as this became linked in the people's minds with opposition to "betterment" schemes involving reduction of stock, largely because the same official was advocating the adoption of both projects.
In November 1954 the Minister of Native Affairs, accompanied by a number of senior officials, held an indaba at Oliphants River, in the Northern Transvaal, at which Moroamoche was present. The chiefs were urged to accept Bantu education and Bantu authorities. It is said that Moroamoche subsequently held a tribal meeting at which an overwhelming majority of the people rejected the Bantu authorities system; and that the local representative of the Native Affairs Department nevertheless continued his efforts to persuade the chief, his councillors and the sub-chiefs to support this system, promising various amenities for the area if they did so.
(69) Star report, 10 September 1958.
(70) Assembly, 18 July 1958, Hansard 2 col. 514.

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A sharp division of opinion began to emerge. Those who were opposed to Bantu authorities were, apparently, supported by certain tribesmen who worked in Johannesburg.

It is reported that discussion took place between James Mabuye Sekhukhune, two other tribal councillors, and the Departmental official about the possible replacement of Moroamoche as Acting Paramount. In Bantu, December 1956, a photograph of James Mabuye as chief was published. Rumour spread that Moroamoche was to be superseded.

A tribal meeting was called during February 1957 at which this matter was thrashed out. The tribal secretary, a head induna and two other councillors, who were said to be in the Departmental official's confidence, were asked why they had not kept the tribe informed of what was in progress. Reports state that as they gave no satisfactory explanation they were dismissed. Arthur Phetedi Tulare, a member of the royal house employed in Johannesburg, was summoned back to become tribal secretary.

It is said that during the following month there were official discussions about fencing and water-pits that were needed in the area; that Moroamoche agreed to supply labour but refused to sign any document because he was afraid of being tricked into an acceptance of Bantu authorities; and that Moroamoche, his brother William and Arthur Phetedi insisted that the tribal council, rather than a Departmental official, should appoint representatives to negotiate with the authorities.

On 10 April 1957 Arthur Phetedi and Godfrey Sekhukhune were deported, to Matubatuba and Mtunzini respectively. Godfrey, who is a near relative of Moroamoche, had opposed the Bantu authorities system at tribal meetings. Their legal representative asked the Minister for his reasons, and was informed that Arthur Phetedi had usurped the powers of the Acting Paramount, had dominated tribal meetings, influenced decisions, and intimidated those who disagreed with his views. Godfrey had been an active supporter of the dissentient group and had incited Africans to oppose measures introduced by the Government. The presence of these men was prejudicial to peaceful administration.

Establishment of a Bantu authority

Reports state that the tribesmen were told that if they accepted Bantu authorities and re-instated the councillors who had been dismissed, the two deportees would be allowed to return. Their leaders did then agree to accept the new system of administration; and on 5 July 1957 a Bantu authority was set up under Moroamoche, to consist of not less than 34 and not more than 40 councillors, and to be vested with the powers, duties and functions of a regional authority. It is said, however, that the tribe refused to re-instate the four councillors. Shortly afterwards,

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petitions were prepared urging that the deportees be returned, and some 8,000 members of the tribe assembled at their headquarters to present the petitions to the authorities.
Disputes between the two factions in the tribe continued, and the affairs of the new Bantu authority ran far from smoothly. In evidence given in court later, the Chief Native Commissioner for the Northern areas said(71) that it had been reported to the Department that money was being collected from the Bapedi for a fund "to fight the Government". Men were told to pay 10s. a month, and women 2/6. Those who would not or could not pay were forbidden to plough and were threatened with expulsion from the reserve. The department had heard complaints that a large sum had been collected and that it was not being banked.

Deportation of the chief and two others and disestablishment of the Bantu authority

On 30 November 1957 the Native Commissioner, accompanied by a large number of policemen, proceeded to the tribal headquarters and informed the people that the authorities were dissatisfied with the Acting Paramount's conduct. Moroamoche was handed a letter suspending him from office for a month, and later received a second letter, dated 31 December, suspending him for a further three months. The Native Commissioner for the area later said in court("2) that Moroamoche had been suspended because of serious allegations of maladministration of tribal affairs, illegal collection of moneys from Africans not belonging to his tribe, interference in tribal affairs outside his area of jurisdiction, and of certain other matters of a criminal nature which were under investigation. Also on 30 November 1957 the police arrested seven men, two of whom (Lot Kgagudi Maredi and Kgagudi Maratanyani) were immediately deported. The rest were later brought before the magistrate at Lydenburg, three being acquitted and two convicted of minor crimes relating to obstruction of officials in the course of their duty.

There continued to be much unrest in the area. On 7 March 1958, Part I read with Part III of Proclamation 52 of 1958(73) was applied to Sekhukhuneland - that is, the entry of Africans not resident in the area was prohibited except under permit, and it was rendered an offence for anyone in the area to make any verbal or written statement likely to interfere with the authority of officials or chiefs, or threatening violence, loss, boycott or inconvenience to anyone because of his loyalty to officials or chiefs. In terms of Proclamation 67 of 1958, issued on 17

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March(74), the African National Congress was debarred from operating in Sekhukhuneland.

Meanwhile, on 17 March, Moroamoche won an appeal against his suspension, on the ground that he had been given no opportunity of a hearing in his defence or of denying any information that might be in the Department's possession. In terms of Proclamation No. 110 of 1957("5) (under which he had been suspended) such an opportunity should have been afforded him before action was taken. On 21 March Moroamoche was deported to Cala in the Transkei, his wife accompanying him, and Kgobalela Sekhukhune, a retired policeman, was
appointed in his place. Reports state that Kgobalela was rejected by the mass of the people, who refused to co-operate with him in any way. As a result, on 11 April, in terms of Proclamation 84 of 1958, the assets, liabilities, rights and obligations of the Bapedi Tribal Authority, and its employees, were transferred to the S.A. Native Trust.

Resentment mounted among the people. A primary school at the tribal headquarters was boycotted: and the authorities then closed it. It is said that many of the tribesmen refused to pay poll tax until Moroamoche had been restored; that Kgobalela asked to be relieved of his appointment; and that certain minor chiefs (among them Joseph Phasoane Nkadimeng), were asked by officials to call a meeting at which another Acting Chief would be appointed, but refused to do so.

There were angry gatherings of tribesmen.

The riots
On 16 May a detachment of 22 policemen in four vans was sent to arrest Joseph Phasoane Nkadimeng and two members of his tribal committee. These men were thrust into a police van which commenced to move off but was halted by a crowd who blocked the road and began stoning the police. The District Commandant said later in court(7") that two policemen were injured. The police then opened fire - either two or four tribesmen (reports differ) were shot dead and several others were wounded. The vans then moved off, were threatened by another mob further down the road, but got away.

An argument started, and tempers snapped. Crowds of Africans, armed with assegais, axes and knobkerries, swept through the nearby villages in search of "traitors", and for several days there was a reign of terror. Kgobalela and his right-hand man were assaulted, seven tribesmen were murdered, a school was damaged, the houses of several "collaborators" were sacked, and a trading store and lorry owned by James Mabuye were destroyed. Numbers
(74) See page 14.

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of the sub-chiefs, indunas and teachers who were in favour of Bantu authorities fled from the reserve, and the schools remained closed.

The police then descended on the area in force, arresting more than 200 persons and confiscating large numbers of weapons. A mobile police force remained in the reserve for some time afterwards.

Possession of dangerous weapons by Africans in African areas
On 26 May Proclamation 135 of 1958 was published, to have the force of law in any African area determined by the Minister of Native Affairs by notice in the Gazette. It was immediately applied to Sekhukhuneland.

The proclamation states that, unless required by law or authorized by the Native Commissioner in writing to do so, no African may, outside the boundary of the plot where he resides, carry or use any firearm, spear, assegai, axe, kerrie, loaded or spiked stick, or dagger or knife with a blade longer than 3- inches. Walking
sticks used as a support by old or infirm persons are excluded, as also are axes used for bona fide domestic requirements.

Preparatory examination
The preparatory examination of 210 Africans on allegations of murder, assault, arson and incitement to violence opened in Lydenburg on 28 July, and was still in progress at the time of writing.

No application for bail was made because there was no money available for this, nor was there for regular legal representation. It was hoped that a sufficient sum could be collected for legal defence should the accused be committed for trial.

ASSAULT AT A MEETING OF THE PRETORIA POLITICAL STUDY GROUP
On 22 August 1958 a group of about thirty Europeans tried to break up a meeting of the (European) Pretoria Political Study Group which was to be addressed by the President-General of the African National Congress, Mr. A. J. Luthuli. They assaulted the European chairman of the meeting, Mr. Luthuli and three women who tried to protect him. One of the men concerned is reported to have leapt on to the platform and shouted "We will not allow a Kaffir to address this meeting". The police were summoned and arrested four men, the rest escaping. Various charges were laid, and following investigations by the Criminal Investigation Department it was announced(7) that the accused would appear before the Regional Court on 22 October. Six men were eventually charged, two of them being found guilty of public violence, and the others acquitted. The ring-leader

(77) Star, 8 October 1958.

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was sentenced to a fine of £100 (or four months) and to three months' imprisonment. The other was fined £100 (or four months). Both men gave notice of appeal.

TAXATION OF AFRICANS
Natives Taxation and Development Act, No. 38 of 1958
In his Budget speech on 16 July 1958, the Minister of Finance announced that the Government intended increasing the rates of African taxation. On 23 July, at the commencement of the debate, Mrs. V. M. L. Ballinger, M.P., Leader of the Natives' Representatives, moved to omit all words after "That" and to substitute: "this House declines to go into Committee of Supply and into Committee of Ways and Means unless the Government agrees to postpone any increase in direct taxation to be paid by Africans until:
"(i) it has made a full and scientific survey of the economic resources of the African population and established the capacity of its members to carry increased financial burdens; and
"(ii) it has worked out and undertaken to implement forthwith plans to build up the earning power and taxable income of the African people".
This motion was not agreed to. Later, on 16 September, the Minister of Finance introduced the Second Reading of the Natives Taxation and Development Bill (which became law as Act No. 38 of 1958).

The Act provides that as from 1 January 1959, every male African of the age of eighteen and over, domiciled or resident in the Union, will pay basic general tax at the rate of £1 15s. 0d. a year, instead of £1 as previously. As from 1 January 1960, men earning over £180 will pay increased amounts, and women will, for the first time, become liable to pay general tax. The following will be the rates after 1 January 1960:

**Taxable income during previous year**

<table>
<thead>
<tr>
<th>Taxable income during previous year</th>
<th>General Tax payable</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to £180</td>
<td>£1 15 0</td>
<td>£2 0 0</td>
</tr>
<tr>
<td>Over £180 to £240</td>
<td>£2 15 0</td>
<td>£2 0 0</td>
</tr>
<tr>
<td>Over £240 to £300</td>
<td>£3 10 0</td>
<td>£3 0 0</td>
</tr>
<tr>
<td>Over £300 to £360</td>
<td>£4 5 0</td>
<td>£4 0 0</td>
</tr>
<tr>
<td>Over £360 to £420</td>
<td>£5 5 0</td>
<td>£5 0 0</td>
</tr>
<tr>
<td>Over £420 to £480</td>
<td>Add £1 for every £60 or portion thereof of taxable income.</td>
<td></td>
</tr>
</tbody>
</table>

If an African pays normal income tax, the amount paid will be deducted from the general tax payable by him (except that all African men must in any case pay the basic general tax of £1 15s. 0d. a year).

The income of a wife (whether married by Christian or civil rites or by customary union) will be regarded as her separate income, and not that of her husband. Income in kind, in the form of livestock or agricultural produce, will be taxable only after these products have been sold.

The Secretary for Native Affairs will designate officials of his department to perform the duties of assessing officers. Between 1 January and 31 March of each year all Africans who during the preceding period of 1 July to 30 June had taxable incomes of over £180 a year must render returns of their incomes to the assessing officers, also, when appropriate, submitting the assessment forms for normal tax received from the Inland Revenue Department. Anyone who fails to do so, or who knowingly makes a false statement, will be guilty of an offence, and liable upon conviction to a fine of up to £50 or a maximum of three months' imprisonment. Assessment forms will be sent out by the assessing officers. Any African who is dissatisfied may lodge an objection with the assessing officer, who will forward it to the Secretary for Native Affairs. The latter may alter the assessment or disallow the objection. His decision is final in the cases of those who pay general tax only (but Africans who pay income tax as well may appeal from a decision by the Commissioner of Inland Revenue to the Special Income Tax Court, in the same way as Europeans may do).

If required to do so, employers, farmers, traders, financial concerns and others must furnish the assessing officers with returns of African employees and their
earnings, payments made to Africans in the form of livestock, produce purchased from or sold to Africans, and moneys received from Africans on deposit and interest paid. Persons who fail to do so or knowingly make false statements will be guilty of an offence and liable to maximum penalties on first conviction of £15 or one month, and upon second or subsequent convictions of £50 or three months. When introducing the Bill, the Minister of Finance said(78) that on reaching the age of 65, African men would, as in the past, be exempt from the basic tax (now to be £1 15s. Od.); but men and women over this age with incomes of more than £180 a year would be taxed. He said, too, that all men would continue to have to carry with them receipts for basic tax and local tax, as these would still be producible on demand; but that receipts for taxes paid on taxable income of more than £180 a year need

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not be carried by men or women. The basic general tax and the tax on taxable income would probably have to be paid separately and at different times.

Remarks by the Ministers of Finance and Native Affairs
The Minister went on to discuss the general principles involved. Four-fifths of the amount paid by Africans in taxation would be used for the extension of educational facilities, he said, the rest being paid to the S.A. Native Trust for the development of African areas.

He maintained that since 1925, when the general tax was fixed at £1, wages had increased considerably, but that the contributions made by Africans through taxation had decreased proportionately. In South Africa, he maintained, "We do not have one homogeneous community in which the prosperous people can be taxed to provide services for the less prosperous, but we have various communities which must be economically sound individually. The White guardian community must provide the funds for the essential developmental services . . . but thereafter the community concerned must itself see to the extension of those services in accordance with its capacity".

In conclusion, the Minister of Finance said, "If it should appear that the Native is unable to pay this tax, if it appears that his wages are too low, we should make representations to their employers to increase their wages . . . If the objection is that Native wages are too low, let us rather see to it that Natives receive the wages which their work and their productivity justify".

The same point had been made earlier, during the Budget debate, by the Minister of Native Affairs, who said("), "In order to be independent he (the African) would have to draw a wage on which he could meet all his obligations .... As long as we allow employers to retain the habit of closing their eyes to the full cost of living needs of the Native: as long as employers are assured that the State will come along like Father Christmas and provide housing cheaply, that the State will provide transport cheaply, and that in the long run the State will also have to provide food I cheaply perhaps, these lower wages will remain. Our whole economy will then continue to rest upon a lower direct wage, but
with all sorts of indirect State subsidies which are met out of increased taxes on the Whites. Employers will then be inclined to employ too many Bantu, with all the resultant State expenditure. Surely it is very much better . . . that in the long run he (the African) should meet his own obligations and that the wage should be adjusted accordingly".

The Minister of Native Affairs said(8") that only about 45,000 out of some 2,500,000 Africans liable for taxation had incomes
(11) Assembly, 24 July 1958, Hansard 3 col. 858.
(80) Hansard 3 cols. 858-860.

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of over £180 a year, and would thus have to pay the graded tax. About 320,000 were exempted from paying any taxes on the grounds of old age, poverty or illness, or because they were students.

During the years 1959-1964, he continued, a total amount of £50,649,000 would be required for Bantu education - the expenditure on Bantu universities would be a mere drop in this bucket. The total revenue of the Bantu Education Fund, apart from taxation, would be £33,400,000 during this period. The present general tax of £1 a year would bring in only about £8,720,000 of the balance of £17,249,000 required. But by increasing the basic general tax to £1 15s. Od., and by obtaining another £320,000 from men in the higher income groups and women, and from a few further sources still to be explored, a sum within £185,000 of the target could be obtained.

Memorandum by the S.A. Institute of Race Relations
A memorandum RR 107/58 entitled An Analysis of the Proposed Increases in African Taxation, submitted by the S.A. Institute of Race Relations to all Members of Parliament during the Budget debate, is mentioned at this stage because it formed the basis for much of the Parliamentary debate on the Bill. The argument in this memorandum (amended in three minor respects in the light of information that became available subsequent to its preparation) was as follows:

1. Income and provincial taxes
Africans pay income and provincial taxes on the same basis as do members of other racial groups once they reach the appropriate income levels.

2. General tax as compared with personal tax
In their case the general (or poll) tax is substituted for the provincial personal tax. The new system for the general taxation of Africans is inequitable in several respects:

(a) Age at which liable to pay
Africans become liable to pay the general tax on reaching the age of 18, while members of other groups do not pay personal tax until they attain the age of 21.

(b) Married and single rates
The rate of personal tax is lower for married men than for single persons; but no such reduction is made for married Africans with family responsibilities.
No married European, Coloured or Asian woman pays personal tax; but married African women will not be exempt from paying the general tax (although, as was learned later, a woman's taxable income will not be added to that of her husband).

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(c) Comparison of amounts payable

According to the new rates, African men with incomes of under £140 a year will pay more in general taxation than men of any other racial group, whether married or single, pay in personal tax anywhere in the Union. African men with under £190 a year will pay more than do any married men of other racial groups. Between the £190 and £460 income groups, African men will pay more than do married men of other racial groups everywhere except in the Orange Free State. While African women will pay lesser amounts than do single persons of other racial groups, up to the £250 income group they will pay the same as, or higher amounts than married men of other racial groups pay everywhere except in the Orange Free State.

So far as the lowest income groups are concerned, then, Africans will, in general, be required to pay more than do Europeans with the same incomes.

(d) Persons with low incomes are least able to divert money from essentials of living

Persons in the lowest income groups, into which most Africans fall, are least able to pay any taxes whatever, since practically all their income is absorbed in expenditure on the absolute essentials of living, and most of them are existing at a standard well below the bread-line.

3. Further direct taxes paid by Africans only

Africans pay further direct taxes which members of other racial groups are not called upon to pay, for example:

(a) Local tax

Local tax of 10/- per hut per annum, up to a maximum of £2, is paid by occupiers of land in a rural location (holders of land under quitrent, persons over 65 years of age and students are exempt). This tax yielded over £200,000 in 1956-57.

(b) Transkeian levy

Since 1955 African taxpayers in the Transkei have paid a general levy of 10/- a year over and above the general and local taxes. This yielded £97,923 in 1956-57. This levy is likely to be increased, since, in terms of
Proclamation 180 of 1956, the tribal, district, regional and territorial authorities being established there may each levy rates of up to £1 a year on African taxpayers.

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(In terms of Government Notice No. 738 of 30 May 1958, stock-rates, varying from 1/- to 2/- per head of cattle, have been imposed in the Transkei. There are 1,231,035 head of cattle there(8).
(c) Other tribal levies
On application by a tribe, and if the Minister of Native Affairs is satisfied that the majority of the taxpayers of the tribe concerned are in favour, the Governor-General may by Proclamation impose a compulsory tribal levy. Failure to pay then becomes a criminal offence. Voluntary levies may also be imposed, when there is merely a moral obligation upon taxpayers to contribute. Purposes for which the money is used include the erection and equipping of schools and the provision of dams, water supplies, fences, reclamation works, clinics, etc. At the end of March 1957 there were 160 compulsory levies and 681 voluntary levies in force. They yielded £139,333 in 1956-57. To this sum should be added the value of the labour supplied free by tribesmen for the construction of these works.
(d) Education and school requisites
Africans occupying houses in urban locations or townships pay an education tax of up to 2/- a month to cover interest and redemption of economic loans obtained by local authorities for the erection of lower primary schools, and also to cover external maintenance costs. In both urban and rural areas African school boards must themselves raise money to contribute £ for £ to the costs of erecting higher and post-primary schools, and must undertake responsibility for the maintenance and cleaning of the buildings. Unlike pupils of other racial groups, African primary school children must supply their own pens, stationery and other requisites. The pupils themselves have to undertake cleaning of the school buildings and grounds. Contributions to school funds may be made compulsory for secondary school children.
(e) Hospital levy
Africans in the Orange Free State and in certain parts of Natal are required to pay a hospital levy, which yielded £29,857 in 1956.
(f) Services in urban townships
African residents of municipal townships are required to pay sums additional to the rental to cover, almost completely if not entirely, the costs of administration and of
health, welfare and recreational services provided.

(8) Minister of Native Affairs, Assembly 25 July 1958, 11ansard 3 col. 959.

RELATIONS: 1957-58

4. Other payments by Africans
(a) Quitrent or squatting fees (£368,206 in 1954-55).
(b) Ploughing, dipping, grazing and other fees (£144,620 in 1954-55).
(c) Dog tax (£10,200 in 1956-57).
(d) Other contributions to provincial treasuries (£560,000 in 1951-52).
(e) Indirect taxation, import duties, excise, licences, stamp duty, fines, etc. (Estimated at £6,542,000 in 1951-52).
(f) Pass and compound fees. (Some £280,000 in 1951-52).
(g) Contributions to churches and missions, and towards the costs of welfare services provided by voluntary agencies.
(h) African labour makes it possible for the mines, factories and other public companies, farmers and others to show the profits on which very high taxes are paid by them.

5. Relation of amounts paid to cost of services received by Africans
The amounts paid by Africans under some of the heads mentioned above are not known. However, the Minister of Native Affairs has estimated that over and above income tax, general tax and local tax, Africans contribute between £30-million and £40-million annually.

In August 1956 the Native Affairs Department issued a press statement in which it was said that during the 1955-56 financial year the State and the provincial administrations would spend some £31-million on services for Africans, plus another £3-million specially voted that year (but not the following one) for the development of the Reserves.

No accurate comparison is possible of the contributions by Africans with the cost of the services they receive; but it is certain that the White section of the population is not subsidizing the Africans to the extent commonly believed.

According to the speech by the Minister of Native Affairs, the two items are more or less self-balancing.

6. Incomes and expenditure of African families
The Institute quoted numerous cost-of-living studies, pointing out that in every case where comparable income and expenditure figures are available, between 69 per cent and 78 per cent of African families in the areas concerned have incomes below the minimum necessary to provide the barest essentials of healthy living. In consequence, their expenditure on food, clothing and fuel is reduced below the essential minima. The effect on the health of Africans was outlined.
7. Conclusions
The Institute's conclusions were:
(a) The majority of Africans, those in the lower income groups, are already too highly taxed; yet the Government intends increasing the rate of general taxation by 75 per cent in 1959, and from 1960 imposing still further taxes on men and women with incomes of over £180 a year. The taxation system for Africans is inequitable in comparison with that for other racial groups.
(b) Such a policy can result only in a further decline in health standards, in the efficiency and productivity of African labour, and in African purchasing power. There will be serious repercussions on the economy of the whole country.
(c) It is generally accepted in modern societies that the wealthier people should be taxed according to their ability to pay, in order to alleviate the poverty and increase the productivity of the poor. In no modern, progressive countries are the poor expected to finance their own social services.

Further points made during the Parliamentary debate
The opening United Party speaker said(8) that his party had no objection to the comparatively small section of the wealthier Africans being taxed on the same basis as the Europeans, but it considered, firstly, that the proposals contained in the Bill hit the poorest section of the community who could least afford to pay; secondly, that an unfair burden would be placed on the African as compared with other races; and thirdly, that within his means the African already contributed a fair share in both direct and indirect taxation, and no increase should be contemplated until the whole question of the African's wages, and the economic conditions under which he lived, had been fully investigated by an independent commission.

The following additional points were made during the debate:
Wage-levels
It was pointed out(5) that one of the main reasons why commerce and industry have found it difficult to pay higher wages is that artificial barriers are placed on the productivity of labour.
Age at which persons become liable for taxation
A Government speaker maintained(8) that it was not really correct to say that White youths of 18 years of age did not pay personal tax. Their earnings were in many cases added to those of their fathers, who were taxed on the combined amounts.

(85) Col. 3949.
(86) Col. 3891.
RELATIONS: 1957-58
One of the Natives' Representatives said(87) she thought that at least the Minister might have raised the African tax-payer's age to 21. Young Europeans, who did not pay personal tax, were being enfranchised; but young Africans, who had no vote, were being required to pay 75 per cent more in taxation than they did formerly.

Other payments made by Africans
The Minister of Native Affairs said(88) that African tribes had not imposed levies under pressure from the Government. The decision was their own in every case: in fact he had sometimes interceded if it appeared that they were proposing to tax themselves too highly.

A United Party speaker(“) reminded the House that on one occasion the Minister of Native Affairs had said that the Consolidated Revenue Fund came from White sources. That was an astonishing statement, he remarked. "If we had the figures we would find that the amount the Native pays . . . is colossal".

Imprisonment for non-payment of taxes
The same speaker said(“U), "In the case of other races, there is no criminal sanction for failure to pay, but the Native goes to gaol if he does not pay his tax . . . No less than 177,890 Natives were arrested and brought before the court last year for failing to pay tax . . . That was an increase of 50,204 over 1956 . . . The fact that so many arrests are made each year shows how severely the incidence of this tax is felt by the lower income group".

Government spokesmen replied(1) that exemptions are granted to certain Africans who cannot pay, e.g. in cases of illness. The Act provides that any tax defaulter may be placed in employment by the Native Commissioner, and monthly instalments may then be deducted from his wages to cover the arrear taxes. Prison sentences are not imposed if the taxes can be recovered from wages. Extensions of time are granted if an African is in temporary difficulties.

Poverty of Africans
Numerous examples were given of the poverty of Africans as revealed in cost-of-living studies(2).

Dr. D. L. Smit said(3) that the Prime Minister had been kind enough to allow him to see the report of an inter-departmental committee which, between 1951 and 1956, examined various aspects of African taxation and submitted proposals on which the Bill was based. Goodness only knows how the committee had come to

(87) Col. 3997.
(88) Hansard 3 col. 863.
(89) Hansard 10 col. 3887.
(90) Cols. 3886, 3880.
(91) Cols. 3889, 3985.
(92) Cols. 3882-5, 3890, 3935, 3967, 3909.
(13) Cols. 3885-6.
the conclusion that African taxes should be raised, he said. "In accordance with departmental practice, the committee accepted £180 per annum as the dividing line between tax-payers who should pay flat rate and those on the higher scale. They estimated that out of 2,180,000 male taxpayers, 2,135,000 belonged to the under £180 or lower income group . . .

"Attached to the report there are a number of schedules of Native earnings, and if anything is required to prove the inability of the Natives to pay, one has only to refer to these schedules . . . Schedule M shows the wages earned by Natives in commerce. It appears that 6,416 males earned from £51 to £60 a year, 24,940 earned £61 to £70 per annum, 47,744 £101 to £110, and only 159 were above £180.

"On European farms they found that the annual earnings in cash were as follows according to estimates: the Cape, £49 Is. Gd., Natal £33 2s. Gd., Transvaal £36, Orange Free State £29 17s. 0d. The average for the total farm labour force of 636,794 Natives in the Union was £37 Is. Gd. This does not include, however, income from crops or from stock sold.

"In Schedule Q there is an estimate of the number of male taxpayers in the Union in order of income, excluding rations and accommodation, with this result:

(reserves not included)
1,107,730 Natives belong to the under £50 p.a. group
209,820 belong to the £51 to £60 p.a. group
22,791 belong to the £61 to £70 p.a. group
253,431 belong to the £101 to £110 group
Some 40,000 are shown as being above the £180 group.

. . . "While it is perfectly true that wages have risen' during the past 30 years and that large sums have been provided by Parliament for Native housing and development, the figures avoid the irrefutable fact, Sir, that £1 was worth 20s. in 1925 and that it is only worth about 7s. 6d. to-day, and that with the constant rise in the cost of living the Native is no better off to-day than he was then"

A Natives' Representative added(9") , "I do not want to know how much Native wages have gone up; I want to know how much Native starvation has been overcome".

Conclusions
Some of the more general remarks made were:
1. "People keep on talking about Bantu education as if it was a privilege and a service to the African population. It is nothing of the kind. It is simply part of the obligation of a modern state to see that its community is adequately educated, for its own benefit as well as for that of the individual. No modern state can afford to have an uneducated, illiterate population"(5).

(94) Col. 3970.
(9-) Col. 3966.

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2. "It seems to me that particularly in regard to the Natives in
the urban areas, they are part and parcel of the economy. Their taxation and the principles which govern it, should be the same sound basic principles that govern taxation as applied to the whole of the community."(6).

3. "I want to refer the hon. member to the UNO report entitled Taxes and Fiscal Policy in Under-Developed Countries. It was published in 1954. . . Inter alia UNO says that the primary requirement for a modern income tax system is a predominantly money economy . . . They say that if a form of income tax is to be applied, there should be a high standard of literacy, because they find that filling in an income tax form requires a measure of intelligence and even instruction.

They also point out that a reliable . . . accounting system is a prerequisite for an income tax system. We do not find this amongst the Natives of South Africa. . . . (The flat rate system) gives the Natives an opportunity to contribute towards the revenue of the country. And it impresses on him the realization that he must contribute towards the cost of the services made available to him . . . and not merely ask the Government to provide free services"(97).

4. (A previous speaker) "says that this whole debate should be considered in the light of the Natives as a separate community * . . We on this side of the House do not accept the Native community as . . . being completely divorced from our economy... We are arguing from different basic premises"(97).

The Bill was passed at its Third Reading in the Assembly by 86 votes to 49.

Petition by Africans

Petitions calling for the withdrawal of the Natives Taxation and Development Bill, signed by several thousand Africans, were sent to the Natives' Representatives during the Parliamentary debate.

GENERAL RESEARCH

Research projects connected with education, employment, health and other matters are dealt with in appropriate chapters of this Survey. Some of the more general projects recently completed or in progress are described below.

General inter-group relations

S.A. Institute of Race Relations:

Political Systems in Plural Societies: a study being undertaken by Mr. K. Heard.

(96) Col. 3924.

(97) Cols. 3940-43.

(98) Col. 3945.

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Extent to Which Local Government is losing its Powers to the Central and Provincial Authorities: a study being undertaken by Adv. M. L. Mitchell.

Institute of Social and Economic Research, Rhodes University.

Border Regional Survey: a five-year project launched in April
1955. Includes studies of the geography, natural resources and economy of the
Border region (Eastern Cape), and sociological studies of the White, Coloured,
Xhosa and
Fingo population.
Institute for Social Research, Natal University.
A study by Miss M. J. Phillips of a culturally mixed community in a racially
mixed neighbourhood in Durban.
Coloured Affairs
Institute for Social Research, Natal University.
A sociological and psychological study of the Coloured
community at Sparks Estate, Durban.
African Affairs
Institute for Social Research, Natal University.
Swaziland survey: a study undertaken in the endeavour to
provide the Administration with the background knowledge which will enable
the country to progress
economically without being unduly disturbed socially.
African Independent Churches: a continuation and expansion
by Professor B. G. M. Sundkler of his earlier study of the Separatist Churches
(Bantu Prophets in South Africa,
1948).
Study of some aspects of advertising appeal amongst the
African public.
African discriminating attitudes to Indians and Whites.
Institute of Social and Economic Research, Rhodes University.
Systems of African morality: moral concepts, attitudes, beliefs
and behaviour of Africans, both as applied among themselves and as applied to
Europeans.
Swazi personality: an inter-disciplinary study of personality
structure in two groups of subjects, one minimally and
one maximally Westernized.
Bantu Christians and Independent Churches: a series of
studies of individual separatist African churches in the
Eastern Cape.

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GROUP AREAS
PROPOSED AMENDMENTS TO GROUP AREAS DEVELOPMENT
ACT
On 21 November 1957, the Minister of the Interior discussed draft amendments to
the Group Areas Development Act (No. 69 of 1955) with representatives of the
nine major local authorities, the United Municipal Executive, the Transvaal Peri-
Urban Areas Health Board and the Natal Local Health Commission.
These draft amendments provided that the Group Areas Development Board
would be empowered to compel the nearest local authority to provide housing and
other services in areas demarcated for the resettlement of persons of various
groups, whether these areas were within or outside the municipal boundaries. It would also be empowered to force the local authority to purchase any such area after it had been developed by the Board.

If the local authority failed to supply the housing and other services considered by the Development Board to be necessary, the Minister, after consultation with the Administrator, might authorize the Board to assume the full powers of a local authority. It would then itself provide the services. The expenses would be recovered from the local authority by court action, or by deduction from any subsidy or grant due to the local authority out of consolidated revenue, or by levying a special rate upon all rateable property within the area of jurisdiction of the local authority.

It is understood that the Johannesburg, Cape Town and Durban City Councils strongly opposed this interference with the autonomy of local authorities. The United Municipal Executive is reported to have supported the proposition that the Group Areas Development Act should be amended where necessary to make it "a more effective instrument for the achievement of its objects"; but, shortly thereafter, certain of the larger municipalities dissociated themselves from this view. The Congress of the Cape Province Municipal Association, held in May 1958, maintained that the Group Areas Act represented national policy, and financial responsibility thus rested with the Central Government, not the local authorities. It urged that any redrafted Bill the Minister might contemplate should make no inroads into the autonomy of local authorities in domestic matters. This matter was not pursued further by the Government during the year under review.

REPRESENTATION TO THE GROUP AREAS BOARD BY INTERESTED PERSONS
In November 1956, when the Eastern Cape Committee of the Group Areas Board held a sitting in Port Elizabeth, a map

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prepared by a Reference and Planning Committee, showing the group areas it proposed, was displayed and debated. This Committee had explained its proposals in a report, which was not made public.

Mr. B. B. Ramjee and others asked to see the report. The Chairman refused to state that he had such a document, and refused, if he had such a report, to make it available to the applicant and other interested parties appearing at the enquiry. It was, however, proved by their counsel that such a report did exist.

Mr. Ramjee took the matter to court, complaining that he was prevented from presenting his case and his views fairly and fully at the public enquiry, and that this prevention was a breach of his rights under the Act. He asked for the proceedings of the Committee of the Group Areas Board to be declared null and void.

His application was dismissed by a judge of the Supreme Court; but he took the matter to appeal.

On 13 February 1958 a full bench of the Eastern Cape Division of the Supreme Court ordered the Group Areas Board to make available to Mr. Ramjee the report
by the Reference and Planning Committee. The Court interdicted the Board from advising the Minister on group areas in Port Elizabeth pending any further representations that Mr. Ramjee might wish to make. It stated that if the Board had already reported to or advised the Minister, it must forward any representations by Mr. Ramjee as an addendum.

Two of the three judges concurred in thus allowing Mr. Ramjee’s appeal, with costs. The Judge-President said: "Courts of law, both here and in England, have been concerned with the question whether a public officer or a body established by an Act of Parliament, or appointed by public authority, acts in a quasijudicial or an administrative capacity. "A general principle appears, however, that any person or body vested with authority to arrive at a decision calculated to affect the rights of, or involving legal consequences to persons, must observe the principles of natural justice. The most important of these is expressed in the maxim - the other side must be heard". If the Board had information relevant and prejudicial to the case of any objector, it should in fairness communicate this information to the objector in question, to give him a chance to contravert it.

"It is conceivable that the report, and the allocation of an area to a particular racial group, may be based on incorrect facts. If the Board accepts those facts as correct, it will make an incorrect report to the Minister . . . It puzzles me . . . what the necessity for the apparent secrecy was".

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The third judge put in a dissenting judgment. He said that the purpose of the inquiry by the Board was to enable it to give advice to the Minister. The Board was free as to the form of its inquiry, save only that it must allow representatives of the State or a local authority to appear before it at any inquiry. A subsequent application to the Supreme Court, asking that the public enquiry held in Port Elizabeth in 1956 be re-opened, and that the report by the Reference and Planning Committee should be made available also to other interested persons, was rejected on 26 June 1958.

EFFECT OF THE GROUP AREAS ACT ON CINEMAS, RESTAURANTS AND CLUBS

The provisions of the Group Areas Amendment Act of 1957 dealing with the occupation of land or premises for the purpose of attending any place of public entertainment, or partaking of any refreshment at a place where refreshments are served, or as a member of or guest in any club, and the terms of Proclamation No. 333 of 1957 which brought these provisions into effect in group areas, specified areas and controlled areas, were described in the last issue of this Survey(1). Proclamation No. 333 of 1957 was later withdrawn, and replaced by Proclamation No. 164 of 1958. This provided that, except under permit, no racially disqualified person may be present in premises in a controlled, specified or group area (i.e. premises anywhere in the Union) for the purpose of attending any public cinema, or partaking of any refreshments ordinarily involving the use of seating accommodation as a customer in a licensed restaurant, refreshment or tea room or eating house, or as a member of or guest in any club (save as a representative or
guest of the state, a provincial administration, a local authority or a statutory body).

By the substitution of this proclamation for the earlier one, two small concessions were made. Firstly, governmental or statutory bodies may invite racially disqualified persons to the types of premises mentioned, and otherwise disqualified persons who are representatives of foreign states may visit such premises, without first obtaining permits. Secondly, disqualified persons may buy refreshments in licensed restaurants, refreshment or tea rooms or eating houses, as long as it is not normally necessary to sit down in these premises to consume the refreshments purchased.

When the original proclamation was gazetted during November 1957, the management committees of "mixed" clubs had to apply for permits to continue to operate. An application by the Durban International Club (which had been in existence for 15 years), (1) Survey, 1956-57, pages 27-29.

92 A SURVEY OF RACE supported by the Durban City Council, was heard by the Group Areas Board on 26 June 1958. No decision had been notified to the committee at the time of writing.*

In a number of urban areas, particularly the smaller towns, Non-Whites have been allowed to attend cinemas in the central areas. They were seated in the gallery or in separate blocks of seats, and generally used separate entrances. Cinemas in small towns would otherwise not have been profitable undertakings. During December 1957(2) the police ordered the proprietor of a cinema at Carnarvon, in the Karoo, to cease admitting Non-White persons. He did this for two evenings but then, after taking legal advice, decided to carry on as in the past, pending clarification of the whole situation.

It was later announced(‘) that multi-racial cinemas that existed before 1 November 1957 could continue to operate provided that they obtained permits from the Group Areas Board. After 1 February 1958, however, cinemas in the larger towns that normally catered for Whites only were no longer allowed to, admit any Non-Whites except under permit. Numbers of owners applied for permits to enable them to continue to admit Chinese patrons.

LOANS OBTAINED BY THE GROUP AREAS DEVELOPMENT BOARD

According to official reports(4), loans are made to the Group Areas Development Board by the State at the ruling economic rate of interest, this interest being capitalized until the Board is in a position to commence repayment. The money is used for administrative costs (which amounted to £11,609 in the year ended 31 March 1957), for advertising, surveying, valuing and purchasing properties, and for paying any depreciation contributions due to the owners of affected properties. The Board obtained loans amounting to £1,071 in 1955/56, £1,001,071 in 1956/57, and £1-million in 1957/58.

CONSIDERATION OF THE GROUP AREAS ACT BY THE INSTITUTE OF RACE RELATIONS
At the Council meeting of the Institute of Race Relations held in January 1958, Mr. A. D. Lazarus presented a paper entitled Some Observations on the Group Areas Act (RR 19/58)(1). He dealt with a point which previously had not received much public attention, that is, that the Act was having the effect of lowering the moral stature of the Europeans in their dealings with Non-Europeans in that it was stimulating attitudes.

* The permit was subsequently refused.

(2) Rand Daily Mail report, 23 December 1957.
(3) Star report, 30 July 1958.
(5) This is obtainable from the Institute in roneoed form.

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of covetousness. Europeans knew that the law would let fall into their laps, at their price, property to which they had no moral right.

The findings, of the meeting were

2. "Council expresses its dismay at the recent wide extensions to the original provisions of the Group Areas Act, the general effect of which is to increase the arbitrary power of the Government.
   "In particular, it deprecates
   (a) the inclusion in the Act for the first time, of powers to prohibit voluntary association between members of different racial groups - powers which have already been invoked in respect of cinemas, restaurants and clubs, throughout South Africa;
   (b) the wide powers vested in the Government to control employment on a racial basis;
   (c) the removal of the safeguards which formerly protected proclaimed African townships from the operation of the Act, thereby endangering these areas and in addition threatening already very limited African freehold ownership, (e.g. Lady Selborne).
3. "Council is convinced that the Group Areas Act cannot be implemented without injustices to all groups, but emphasises that the overwhelming burden of sacrifice and suffering falls upon Non-Europeans, particularly the Indian and the Coloured communities. It is becoming increasingly clear that Indians will face not only material hardships but, in many instances, utter economic ruin.
4. "Insecurity, fear and uncertainty dominate the lives of all those, predominantly Coloured and Indian, in areas where no definite determination of Group Areas has yet been made. Development is at a standstill, over-crowding has reached alarming proportions in many Non-European areas, and property
values have been seriously affected.
5. "Council draws attention to the grave injustices arising from
some of the determinations of group areas already published - in particular, to
those affecting the Western Areas of Johannesburg. These compel Indians to
remove to an area 19 miles out of town, deprive them of long-established shops,
businesses and community amenities and compel the Coloured community to
surrender substantial and well-kept homes in Albertville - one of the best
Coloured areas in Johannesburg.
Similar injustices have been perpetrated by proclamations
affecting the northern portion of the Cape Peninsula.

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6. "Although a measure of compensation to affected persons is
provided in the Group Areas Development Act, it is inadequate to cover the full
losses suffered. Its administration is cumbersome and complicated and involves
affected persons in substantial legal costs.
"Council draws attention to the great fluctuations in the
value of properties between the original date of proposal of group areas and their
ultimate proclamation, at which latter date "basic value" for compensation
purposes is determined.
Intervening decline in property values thus greatly aggravates
losses sustained by disqualified persons.
"Furthermore, there can never be true material compensation for the disruption of
family, community and commercial
life.
7. "The Group Areas Act, which was ostensibly designed to
remove sources of racial friction, has, in fact, greatly intensified inter-racial
tensions, fears and animosities, leading to further
loss of trust and confidence by Non-Europeans in Europeans. 8. "Council draws
attention to the harmful influence of the Act
upon the European community. Acquiescence in the injustices inherent in the Act
and inevitable in its implementation, undermines public morality and gives legal
sanction to the exercise
of base greed and widespread self-interest.
9. "Council stresses the duty of all South Africans to scrutinise
closely the further implementation of the Act. It urges that widespread action be
taken to publicise and oppose all injustices in both proposals and proclamations of
Group Areas. 10. "Council is convinced that the repeal of the Group Areas Act
is essential to the restoration of healthier race relations and to the promotion of the
economic, moral and spiritual wellbeing
of all South Africans".
FINANCIAL HARDSHIPS THAT THE GROUP AREAS ACT
IS CAUSING
Quite apart from the spiritual suffering caused by the Group Areas Act when
people are forced to give up homes and amenities they cherish, it is becoming
increasingly clear that Non-White people in particular are being called upon to make very considerable financial sacrifices.

Firstly, there is the point mentioned by the Institute's Council that when there are long delays between the public discussion of zoning plans and the proclamation of group areas, the market value of properties rises in undeveloped areas likely to be set aside for Non-Whites, and falls in Non-White areas likely to be set aside for Whites; and the purpose of the Group Areas Development Act is thus defeated.

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Many Indians in Durban, for example, who before 1950 bought property in predominantly Indian-owned areas now zoned or likely to be zoned for Whites, have suffered loss in this way. Particularly hard-hit have been those who purchased such properties just before the Act was passed and who have never been granted permits to occupy them. Knowing that the market values would continue to fall steadily until the Development Act was applied, Europeans have been unwilling to purchase these properties from the Indians, whose capital, often representing their life-time's savings, has meanwhile been tied up. They are highly unlikely to recover the purchase price even when the machinery of the Development Act is eventually applied. Coloured people, too, have suffered in this way in numbers of towns (e.g. Lydenburg).

Secondly, there is the question of the determination of basic values. In very many cases (e.g. at Albertville, Johannesburg) the values fixed are lower than what the owners genuinely consider to be the market value. A few of them have successfully challenged the decision of the valuators; but most of them are bewildered and ignorant of the procedure, or cannot afford the fees that must be paid in order to obtain the necessary evidence. In any case, objections are heard by the same valuers as those who fixed the basic values, and there is no appeal to higher authority.

If the basic values are fixed at too low a figure, the effect will be that when people come to sell, they are more likely to have to pay out to the Development Board, instead of receiving part compensation from the Board, than if the basic values were higher.

The only concrete evidence that is so far available on this point relates to purchases by the Development Board in Sophiatown and Rietfontein, Johannesburg (Rietfontein, together with Lenasia, is the new group area for Indians)(6). The Board bought a number of properties in these areas for £122,825. But as the basic values fixed for these properties was £98,844, an appreciation contribution of half of the difference between these two figures became payable to the Board - that is, a sum of £11,990. The net amount paid by the Board was, therefore, £110,835. The appreciation contributions all come from Rietfontein, presumably from White owners. The Board apparently paid amounts equal to the basic values in Sophiatown, and higher than these values: in Rietfontein.

A third point to be borne in mind is that, even if basic values should be fixed at amounts acceptable to the owners, the latter are still likely to suffer financially
because of the steady depreciation of the £. It will cost a man far more to re-build than it originally cost him to erect his premises.


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Fourthly, no compensation is payable for loss of goodwill. In recent years Indian merchants have been able to occupy only such premises as were previously occupied by Indians. Thus the value of goodwill has been very high when shops changed hands. But in predominantly Indian-occupied trading areas now zoned, or likely to be zoned, for Whites, this value has fallen to practically nothing.

Some of the smaller Indian traders, for example in Pretoria, who in terms of group areas proclamations are under notice to leave their present premises, are already in difficulties for yet another reason. Because their future is so insecure, wholesalers are unwilling to grant them normal credit facilities, and they are consequently unable to supply their regular customers with all their requirements, nor can they with safety extend credit to them, as in the past. These customers are beginning to go elsewhere.

Finally, if Indian traders are forced to move long distances out of town, as is the pattern in most areas where group areas have been proclaimed, they will of course be ruined, and their Indian shop assistants, clerks, bookkeepers and packers will also be thrown out of work.

The Congress of the Associated Chambers of Commerce, held in Margate during October 1958, passed a resolution asking the Government to consider making compensation to shopkeepers for loss of business and damage when communities are moved; either in the form of cash, or of trading sites of comparable value.

REMARKS BY THE MINISTER OF THE INTERIOR

When asked in Parliament whether his attention had been drawn to the hardships which would be suffered by the persons displaced as a result of proclamations issued under the Group Areas Act during the year, and, if so, what steps would be taken to give adequate relief to those persons affected, the Minister of the Interior replied, "My attention has been drawn to certain Press reports in connection with alleged hardships which will be suffered by persons affected by the proclamations. As regards relief in cases of actual hardship, the hon. member's attention is invited to the provisions of the Group Areas Act, 1957, and of the Group Areas Development Act, 1955".

The Minister was later pressed to explain what was to happen in cases where the periods within which people required to move had expired, but no alternative accommodation had become available. He replied, "Even when these specified periods have elapsed . . . or even when the undated area has been made a dated area . . . there is still provision for the further occupation of individuals who can be treated as hard cases . . . Under the permit system he (such an individual) can then be allowed to occupy if a good case is made out".


(8) Assembly. 10 September 1958, Hansard 9 col. 3476.
MOSQUES AND TEMPLES

Muslims believe that a mosque should never pass into the hands of non-Muslims, that ground once occupied by a mosque is sacred to God for all time and must never be used for other purposes, and that the demolition of a mosque constitutes desecration.

There has, thus, been much unrest in view of the fact that many Indian or Malay mosques are situated in areas which have now been zoned for Whites.

The Chairman of the Group Areas Board announced during June 1958(1) that permits, which would not have to be renewed annually, would be granted to Muslims for both ownership and occupation of mosques in White group areas for as long as these were required for worship. But there would come a time when these mosques would fall into disuse, as Indian group areas with their own places of worship were developed, and the permits would then be cancelled. The same facilities would be extended to Hindu temples.

Indian leaders maintained, however, that if their mosques fell under a permit system they would in effect become public property, and then there would be a clash between Islamic and South African law.

The Minister of Native Affairs said in the Assembly(10) that he was making further investigations of reports that under Islamic religious law the land on which a mosque is situated is holy and can never be alienated or used for any other purpose, and of the attitude of the Muslim community in regard to a system of permits for the occupation of such land. He added, "I am not prepared to exclude mosques specifically from the provisions of the Group Areas Act, as attendance of mosques for devotional purposes is not prohibited by the Act. In so far as continued ownership and occupation for purposes other than devotional purposes are concerned, the Act is sufficiently elastic to meet all reasonable and legitimate representations".

GROUP AREAS IN JOHANNESBURG

Central areas

The future of the central city area of Johannesburg, which includes predominantly Asian-occupied townships such as Burghersdorp, part of Fordsburg, Newtown West and Ferreirastown, has not yet been decided.

The Minister of the Interior said recently(11), "We will probably have to have a second proclamation for Johannesburg... There is a large area in Johannesburg which is simply a controlled area. But if it is necessary to have a business area... That is a matter that is being gone into".

(9) Star, 26 and 30 June 1958.
(10) 18 July 1958, Hansard 2 cols. 509-510.
(11) Assembly, 10 September 1958, Hansard 9 cols. 3481. 3477.

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Meanwhile, people established in the area concerned, whether they are Indian, Chinese, White, Coloured or Malay, are left in a state of grave anxiety. Indian traders who have to move out of other townships are left in uncertainty as to whether they should go to the unzoned area, where they would make good livings if they could find premises, or whether they should move out to Lenasia where they would be ruined.

Sophiatown and Martindale
(a) Proclamation of group areas
In terms of Proclamation No. 153 of 1956, Martindale, in the Western Areas of Johannesburg, was left unzoned, although the obvious intention is that it will eventually become a White area. Sophiatown, next to it, was zoned for Whites, the provisions of the Act in regard to occupation to apply by 3 August 1957 in strips along the eastern and western borders, the remainder being a "future" White area(2).

Nearly half of this remaining part became a "dated" area in terms of Proclamation No. 233 of 9 October 1958. It was zoned for White occupation within two years. There are still numbers of Coloured, Indian and Chinese people living in the border strips of Sophiatown. When the year within which many of them were supposed to have moved had elapsed there was no alternative accommodation for them, and this is still the position. Temporary permits to remain there were granted for one year, and at the time of writing they were awaiting the response to their second application for extension of time.

According to an article by the Chairman of the Natives' Resettlement Board published in Bantu in February 1958, as at 30 November 1957 there were 681 properties in Sophiatown and Martindale owned by his Board, 77 owned by Whites, 758 by Africans, 218 by Coloured persons, 64 by Malays, 99 by Indians, 3 by Chinese, 84 by churches, 1 by the municipality, 17 by the State, and 12 by others, mainly companies.

(b) The removal of Africans
By then, all Africans except for about 25 families had been moved from Pageview, the article states. Houses demolished included 561 at Sophiatown and Martindale, and 46 at Pageview. Ten families (45 persons) had been re-settled at Diepkloof and 6,749 families at Meadowlands.

The Resettlement Board has decided that only those Africans whose names appear on the list of legal residents compiled at (12) In terms of Section twenty-one of the Group Areas Act of 1957. Before this, such areas were termed "undated" or "3 bis" areas.

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the end of 1954, when the removal scheme began, will be entitled to houses at Meadowlands or plots of ground at Diepkloof. Tenant families who refused to move when given the opportunity will no longer qualify: if legally present in Johannesburg, they may request that their names be entered on the municipal waiting list for houses.
It is maintained by the Board that many Africans have moved in to the Western areas during recent years. In an endeavour to sort out illegal residents, the police have conducted very frequent raids at night. There are many Africans who contend that they have a right to be in the area although their names do not appear on the lists compiled by the Board, and such people are liable to be arrested again and again, being fined up to £3 on each occasion. And yet, they say, they cannot move out of the area as they have nowhere else to go. During June 1958 the African National Congress (Western Areas Region) sent a memorandum to Members of Parliament complaining of incessant police raiding during the small hours of the night and of rough treatment by the police. People in the Western areas were living in a state of constant fear, they said.

(c) Sales-in-execution

Numbers of owners of plots in the Western areas had allowed the municipal rates and charges for refuse removal and sanitation to fall into arrears. The City Council took legal proceedings against some of these people for the recovery of the amounts due. In several cases the Council obtained judgment, and as the owners were unable to pay, their stands were attached. Sales-in-execution followed, and as the machinery of the Group Areas Development Board has not been applied in the area, the stands were sold for whatever they could fetch, with no provision for part-compensation to the owners if these figures were below the market price.

It was reported during January 1958 that one such property in Sophiatown, belonging to an African, Mr. William Madi, realised only £1 when sold. The Minister of Native Affairs was later questioned about this incident in the House. He said(3) that Mr. Madi refused to furnish the Resettlement Board with information about his property, and refused the Board's offer to buy it at its market value. The City Council then took action against him for arrear rates and other charges, and the property was sold in execution. Its fair market value was £925. A representative of the Board attended the sale: his initial bid of £1 was the only one made and it was accepted, but the Board undertook to pay the sum owing to the City Council, which was £137. Mr. Madi's tenants were moved to Meadowlands; but nothing was done for him because he tore up a notice asking him to appear at the Board's offices to enter into a lease for a house at Meadowlands, and subsequently he disappeared.

A European property-owner at Sophiatown suffered a similar loss a little later(5). Although the municipal valuation of his stand was £350, the only bid at the sale was £1, made by the City Council to protect its interests, and this was accepted. The arrears on the stand, and legal and transfer costs, amounted to £146.

(d) Rathebe test case

Details are given in the last issue of this Survey(5) of an application by Mr. J. R. Rathebe to the Witwatersrand Local Division of the Supreme Court for an order declaring the removal notice served on him to be of no force or effect. He won his case, the judge declaring that the notice had not given him a "proper election", and was thus defective. It had called upon him to move within eight weeks, either
to a dwelling at Meadowlands (far smaller and less well equipped than the house he owned in Sophiatown), or to a plot of ground at Diepkloof.

The judge held that a reasonable period of time must be allowed to enable an African to complete the erection of another house if he elected to do so. In addition, the alternative accommodation offered must be reasonable, having regard to the requirements of the African and his household. The notice issued had been defective in that it did not allow a reasonable period of time. It was, the judge said, thus unnecessary for him to consider whether, if the notice had been in proper form, it would nevertheless have been defective because the dwelling offered at Meadowlands did not furnish adequate accommodation for Mr. Rathebe and his household.

The Resettlement Board noted an appeal to a full Bench of the Transvaal Provincial Division of the Supreme Court, which was heard during April and May of 1958. The Board alleged (16) that it was not obliged to give a longer period of notice than eight weeks. It was argued that if Mr. Rathebe did not want to live at Meadowlands, he could temporarily have settled on the Diepkloof plot in a tent, thereafter building a house at his leisure.

The presiding judge said this argument could mean that the Board could eject an African after offering him a house which might be totally unsuited to his requirements, or a piece of ground without any house on it at all. That could never have been the intention of the legislature, he maintained. The Board's appeal was dismissed with costs.

After that, the Board commenced sending out 30 days' notices of expropriation of properties, leaving African owners with no option but to leave.

Albertville

Albertville, the prized Coloured suburb in the Western Areas, was on 3 August 1956 proclaimed an area for future White owner(14) Star report, 27 February 1958.

(15) Page 106.

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ship and occupation. Coloured owners of "affected" properties were required to submit returns to the Group Areas Development Board, and valuators were later appointed by the Administrator to determine the basic values of these properties. Towards the end of 1957, the owners were informed of the values that had been decided upon, and were told that any objections must be lodged within 14 days. They considered this period to be unreasonably short: it was necessary for them to consult private valuators as well as builders to estimate the cost of erecting similar buildings elsewhere. The procedure was complicated and it was, of course, also costly.

One of the owners, representing the Albertville Ratepayers' Association, made application to the Supreme Court, Pretoria, for an extension of time. It was agreed and made an order of court that the Chairman of the Committee of Valuators...
would postpone until 3 April 1958 matters affecting the Albertville Ratepayers' Association.

Then, during April, the Committee of Valuators (who were sitting in final judgment on their own valuations) heard evidence from numbers of persons who were dissatisfied (7). An owner of a tiled-roof, eight-roomed house with an American kitchen, for example, said that the basic value of his property had been fixed at £3,800, but should have been at least £6,500. Another owner claimed that his house was worth £3,050, not £1,595 as fixed by the valuators, and said that five years previously he had been granted a bond on it of £1,900. No indication was given of the Committee's decisions.

The basic values of numbers of properties in Sophiatown have, however, been increased as a result of representations made to the Committee. It is understood that in 130 cases dealt with, the valuations were raised by a total of some £30,000.

Lenasia and Rietfontein

The areas proclaimed in 1956 for Indians were Lenasia and the adjoining farm Rietfontein No. 48, which lie beyond the African townships and are between 19 and 22 miles from town.

A private company had previously laid out a township for Indians at Lenasia, but was asking exhorbitant prices for the stands. Some Indians did buy plots there. When the Government later decided to expropriate most of the remaining plots, sworn appraisers employed by the private company valued these at between £654,000 and £794,000, whereas the Group Areas Development Board put the value at between £190,000 and £213,000. The matter was then taken to arbitration, and has not yet been settled.


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Some of the Indians who bought plots from the company which have now been expropriated, but did not obtain transfer because they had not paid off the full amounts owing, now stand to lose the sums they did pay, since the company maintains that it cannot afford to refund these sums and the Development Board repudiates responsibility.

The Development Board has bought an estimated 750 morgen of farm land (18), mostly by expropriation, at Rietfontein (to be known as Lenasia Extension No. 2), and has made application to the Administrator for permission to lay out an Indian township there. At the time of writing, the plans were open for inspection by the public. Services had still to be provided.

The Chinese group

Johannesburg's scattered Chinese group of about 2,500 persons is almost entirely dependent on trade. A spokesman has said (19) that the immovable property they own includes four clubs valued at £250,000, a school worth £45,000, and shops and dwellings costing £300,000. The estimated value of the goodwill of their trading concerns is £2-million.

When the Group Areas Board originally visited Johannesburg in 1955, one suggestion made was that the farm Langlaagte 152, about four miles west of the City Hall along the Main Reef Road, should be proclaimed as a group area for the
Chinese. The Board revisited Johannesburg in July 1958 to consider whether this area should be proclaimed for Chinese or for Coloured people. The latter did not oppose the suggestion, since they have acute need of room for residential expansion; but the Chinese pleaded that they should be left to live and trade in their existing premises, under the permit system if necessary.

GROUP AREAS IN CAPE TOWN AND ADJOINING MUNICIPALITIES

The sittings of the Group Areas Board in Cape Town, and the effects of the proclamations of 5 July 1957, were described in earlier issues of this Survey(2”). Further group areas were proclaimed on 31 January 1958. The Institute of Race Relations examined the whole situation, issuing the result of its investigation as RR. 64/58.

Areas so far unzoned

As is also the case in Johannesburg, parts of the city have not yet been zoned, and the residents are left in anxiety and uncertainty. One of these is the central city area, from Three Anchor Bay on the Atlantic coast, through the city, to District Six and parts of Woodstock and Walmer Estate, in the east. This must


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be one of the most complex areas in South Africa. Except in the main shopping area there are slum-dwellings, mainly Coloured occupied, between the warehouses and blocks of shops and offices. Many Malays live in the west of the area; towards the east are the row-houses and tenement buildings of District Six; and further east are residentially mixed lower middle-class suburbs. The Southern Suburbs have not yet been zoned either, and again great intermingling of the White and Coloured residential areas exists there. According to the proposals for these suburbs which were advertised in 1955, it appears likely that no clear-cut group areas can possibly emerge. Another area about which no decision has yet been made is the northern part of Elsies Rivier and Epping Garden Village adjoining this, which lie along the main railway line, to the south of Goodwood. According to the pattern that is gradually emerging as a result of the proclamations, this area should logically be allocated to Coloured people; but a housing scheme for between 10,000 and 11,000 Whites of the lower income groups exists there.

Areas proclaimed for Whites

All the proclaimed areas described below are set aside for ownership by the group concerned. The provisions of the Act relating to occupation come into effect from varying dates, however, depending on the numbers of people of disqualified racial groups who will have to move out.

The White group areas are the Table Mountain area (including Sea Point and the other Atlantic coast suburbs); the partly industrialized areas, which lie to the east
of the city centre, of Woodstock, Salt River and Maitland; Pinelands and
Thornton which are further east; Milnerton, Rugby and Brooklyn on the east
coast of Table Bay; and the entire area to the north and east of the main railway
line to the interior and the Branch line to Somerset West.
Some of these suburbs, for example Orangezicht, Pinelands, Thornton, Milnerton
and Boston, are already exclusively White; but very many Coloured, Malay and
Indian people will have to move out of other suburbs within varying periods of
time. The areas where the largest numbers are affected are Goodwood, Church
Hill Estate and Parow. Here there are mainly White people living in the south,
next to the main railway line, but further north the housing becomes progressively
poorer in quality until it consists of shacks only, and the proportion of Coloured
residents rises rapidly. There are nine large Coloured schools in this area, with an
average of about 500 pupils each: working from these figures it can be estimated
that perhaps 10,000 Coloured people will eventually have to move.
Woodstock is the suburb whose loss is possibly most keenly felt by the Coloured
people. Here there are rows of small villas built closely side by side, some
occupied by Coloured families and

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others by Whites. The Whites are mainly working class people railwaymen,
tramwaymen, factory and shop workers. The
Coloured people are of the better-class, a large proportion of them of the "near-
White" type: many, in fact, pass as Whites. Relations between neighbours of
different racial groups have, on the whole, been very friendly in the past. White
people were unlikely to invite Coloured folk to their homes, nor would Coloureds
invite Whites to theirs; but each would help the other in time of trouble, and
friendly conversations took place over garden walls and in the streets.
But the Group Areas Act is destroying all this. White speculators are hoping to
make money out of the misfortunes of those who will be required to move. People
who "pass" as Whites are hoping to convince the authorities that their associates
are entirely White, and thus are unwilling to acknowledge Coloured relatives or
friends. Coloured people are resentful and bitter.
Areas proclaimed for Coloured people and Malays
Scotsche Kloof on the slope of Signal Hill, which includes the well-known Malay
quarter, has been allocated to Malays. This term, as officially used, includes Cape
Coloured people who are Muslims. All the Coloured "Christians" (who may be
closely related to people who follow the Islam faith) and about twenty Indian
families, will have to move out. This area is very badly overcrowded; if it were
properly planned and the slums eliminated, a considerable proportion of even the
present Malay population would have to move.
Other proclamations for Cape Town make no distinction between Cape Coloured
people and Malays: the term "Coloured" is used to include both groups in the
paragraphs that follow.
The Coloured people are to retain their housing schemes at Athlone, Kew Town
and, further north, Matroosfontein. All of these are on the Cape Flats, inland from
the suburban railway line to Muizenburg. They have been allocated land adjoining
Athlone, at Duinefontein, where a few Indian and Coloured traders have businesses, the rest of the area being at present undeveloped.
The Coloured group will also retain the southern part of Elsies Rivier, where there are some quite good houses; and undeveloped bush and sand-dune country to the south and east of this, extending to Bellville South, has been set aside for their residential expansion.
Very few Whites indeed will be disturbed by these arrangements. It is only in Bellville South that the White group will really feel the effects of the Act: about 300 European families who have 15 businesses, and various other amenities, will eventually have to move from there.
A further area allocated to the Coloured group is Kensington, which lies inland from Brooklyn. Numbers of Coloured people

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already live there in houses of reasonable standard; but in the northern part is the evil slum of Windermere, from which many hundreds of Africans are gradually to be removed.
The broad picture that emerges is that Coloured people are to be moved from the established suburbs, and re-settled on the Cape Flats.
Areas proclaimed for Indians
Two areas in the Cape Flats have been allocated to Indians: Rylands, near Athlone, and Cravenby Estate to the south of Parow. The latter is at present almost uninhabited, while in the former there are a few Indian and Coloured stores along the main road, some fairly good Coloured dwellings nearby, and, beyond these, acres of miserable shacks occupied, mainly, by Coloured people although a few Africans live there too.
Both of the Indian group areas lie between future Coloured areas which, when fully developed, could support a number of shops - but most certainly not all the Indian traders of Cape Town. The Coloured people of Athlone in any case have their own excellent shopping centres.
Reactions to the proclamations
A conference on the Group Areas Act was convened in Cape Town during February 1958 by the Group Areas Co-Ordinating Committee(1), the S.A. Institute of Race Relations, the Black Sash and the Civil Rights League. About 120 delegates from numerous organizations attended. They passed a resolution stating, "We affirm our belief that racial grouping is contrary to the concept of human dignity and freedom, and is in itself the cause of increased friction among the people of this country. The Act is oppressive in spirit and practice, causing untold hardship to many people". It was suggested that an office should be set up to assist people affected by racial zoning.
GROUP AREAS IN PRETORIA
The Government's plan for Pretoria was set out in Proclamation No. 150 of 6 June 1958.
The terms of the proclamation
Practically the whole of the built-up area was proclaimed an area for White ownership and for White occupation within one year of the date of the proclamation. There are, however, a few small areas which were excised: again, these are zoned for White ownership, but the present Non-White residents have longer periods of time within which to move: 1. Claremont and Booyens, predominantly Non-White areas in the north-west, are zoned for White occupation within three years.


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2. The adjoining Lady Selborne, mainly occupied by Africans and Coloureds, is zoned for future White occupation.
3. Strips along the south and eastern and western borders of the Asiatic Bazaar, now Indian areas, are to be become areas for White occupation within five or seven years.
4. The central Indian trading area, around Prinsloo Street, is to be handed over for White occupation within three years.
5. Highlands and Eastwood to the south-east of Pretoria, which at present are mainly Non-White areas, are zoned for future White occupation.

Three further small areas have not yet been proclaimed, thus remaining controlled areas. One of these is the northern part of the Asiatic Bazaar and undeveloped land adjoining this. Another is Bantule, near the Bazaar, an African location from which the Africans are being moved. The third is the Coloured location, on the other side of the Bazaar, which will probably become a White area eventually. The land set aside as a Coloured group area is part of the farm Derdepoort No. 469, an undeveloped area about nine or ten miles east of the centre of the city, adjoining the African township of Vlakfontein.

The Indians have been allocated another undeveloped area at Claudius, some eight miles south-west of the city, beyond the Iscor works and the other African townships of Atteridgeville and Saulsville. Part of the farm Mooiplaats 69, adjoining Claudius, is set aside for future Indian expansion.

The effect of this proclamation

(a) Whites and Chinese
Not a single White resident of Pretoria will be required to move, and the White group gains solidly at the expense of Coloured people, Indians and Africans. No group area has been allocated to the Chinese.

(b) Coloured people
The Office of Census and Statistics estimates that there are at present 7,900 Coloured people in Pretoria. Their exact geographical distribution is not known; but probably well over half of them live in and around the Coloured location. Those in the unzoned area there are not immediately affected, but will probably have to move eventually. Those living around this area are affected, and will have to go within five or seven years, depending on where their homes are situated.
The next largest number of Coloured people live in Claremont, and to a lesser extent Lady Selborne. Some Coloured own properties in Claremont which are let to Indians. All Coloured people in Claremont will have to move out within three years. Those in Lady Selborne will have to go eventually, as will also the Coloured families now living in Bantule, Highlands and Eastwood.

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Coloured families living in other areas, such as East Lynne, Eersterus, Newlands, Parkmore, Pretoria North, Waterkloof and Silverton, will have to move within one year.
(c) Indians
The most grievous blow for Indians is the loss of the central Prinsloo Street area, which they have to vacate within three years. Their central mosque, with its many traditions, is in this area, and many Indian families have owned prosperous businesses there for generations, a very high proportion indeed of the trade being with Whites. There are 127 well-patronized Indian stores in Prinsloo Street, and over one-third of Pretoria's estimated Indian population of 7,000 lives there, of necessity, in overcrowded conditions behind the shops. Their property, stock, book debts and goodwill are valued at about £5-million.
Over thirty Indian traders with premises scattered in the central part of the city other than in the Prinsloo Street area will have to move within a year. Nearly forty Indian traders will have to leave Claremont within three years. About thirty others who trade in the peri-urban areas will have to move, also; from De Beers, Despatch, East Lynne, Eersterus, Parkmore, Pretoria North, Riverside and Silverton, within one year, and from Eastwood and Highlands at some date still to be determined.
The rest of the Indians, about one-half of the total, live in the Asiatic Bazaar, which has become very densely populated because of the restrictions on building and land purchase. About 1,000 of them in the south and along the eastern and western borders will have to move out within five to seven years. The future of the rest is highly uncertain.
The Minister of the Interior said recently(2) that the remaining area would be zoned for Indian business, although the homes of the Indians would have to be moved. A new municipal market was to be established nearby. Indians would be permitted to buy business premises in the Bazaar "at their own risk".
It was necessary that they should be allowed to purchase properties, he said. They must incur the same capital expenditure as the White business man, for otherwise the money would be spent on purchasing stock, and they would be placed in an advantageous position vis-at-vis their White competitors.
It is unlikely that all the 170 Indian traders at present established in the northern part of the Bazaar will continue to be able to make a living there, since the neighbouring Africans and Coloured people, who form their main clientele, are to be moved. The establishment of a market nearby may attract some White custom; but will certainly not enable the Bazaar to support, in addition to the present traders, those forced to leave the Prinsloo
(22) Assembly, 10 September 1958, Hansard 9 cols. 3477-9.
Street area and the White suburbs. It would be quite out of the question for the latter to contemplate moving their businesses to Claudius. In all, about 5,000 of Pretoria's 7,000 Indians will have to move.

(d) Africans

Africans are to lose the only two areas in Pretoria - Lady Selborne and Claremont - where they have freehold rights. Possibly about 1,000 Africans own property in the former, and 200 in the latter, township.

For some time the policy has been to move all Africans to the strictly-controlled locations at Vlakfontein in the east, and Saulsville/Atteridgeville in the west. This policy has by no means been fully implemented. There are perhaps 50,000 Africans still living in Lady Selborne and 8,000 in Claremont. Many thousands more live in Bantule near the Asiatic Bazaar; in Eastwood, Riverside, Eersterus, Highlands and Silverton to the east of the city; and in scattered squatter camps to the west. Large numbers of Africans are still living in the area now set aside for Indians.

Reactions to the proclamation

The Institute of Race Relations prepared a memorandum (RR. 99/58) on the proclamation and its effects, which was very widely circulated in Pretoria and elsewhere.

A booklet entitled Bitterness Towards Indians, by Mr. H. E. Joosub, President of the Pretoria Indian Commercial Association, was published by his association, and this was also widely circulated. It was printed in Afrikaans and English, and contained a foreword by Professor P. V. Pistorius of Pretoria University. The Indians addressed an appeal to the Associated Chambers of Commerce and the Pretoria and Johannesburg Chambers, and held prayer meetings throughout the city.

In a written statement handed to the Pretoria News(\textsuperscript{23}), Professor Pistorius said, "In South Africa it is not customary to condemn children and infants to death, nor is death by starvation an accepted form of execution. Any attempt at either practice would without any doubt meet with the most stern opposition from all sections of the population . . . Nevertheless, as far as I can see, that is the only logical outcome of the Group Areas Act as applied to the Indian community of Pretoria". Professor Pistorius proposed the formation of a committee of Church leaders to investigate the implications of the proclamation, and then to take "whatever measures are in keeping with the demands of good citizenship, common humanity, and of the Christian conscience". Six English-speaking Churches (Presbyterian, Anglican, Methodist, Roman Catholic, Congregational and Baptist) agreed to appoint representatives to serve on this committee: the Dutch Reformed Churches did not accept the invitation.

(23) Published in issue of 30 June 1958.

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Action by the Inter-Church Committee
After conducting very thorough investigations, the InterChurch Committee prepared a memorandum summing up their conclusions. Members had not concerned themselves, they said, with the residential implications of the proclamation, but nevertheless wished to point out that as the Indians were on the whole a poor community, very definite hardship would be inflicted on them unless suitable provision was made for housing in the new areas, and for cheap transport.

The Committee pointed out that it was by necessity, and not by choice, that the Indians were mainly engaged in commerce. The conclusion of members was that the effect of the proclamation on the Indians would be privation and even starvation. A selfsupporting community would be reduced to complete poverty and dependency, involving hardship on men, women and children. It was the considered view of the Committee that this would constitute an injustice that could not be tolerated by the conscience of a Christian nation, a Christian Church or a Christian individual.

The committee recommended:
(a) that suitable housing, transport and other amenities be provided in Claudius;
(b) that the central shopping area of Pretoria be declared a working area, that it remain unzoned, and that with or without the stipulations of the various pegging acts, the Indians be left in possession of their business and trading rights;
(c) that in terms of Section twenty-three (3) (a) and (b) of the Group Areas Act, Indian business premises in the suburbs of Pretoria be exempted indefinitely from the stipulations of the Act;
(d) that the Government appoint a statutory body to plan other occupations in industries, the civil service, professions, etc., for South Africans of Indian descent.

The Committee met the Chairman and other representatives of the Group Areas Board on 3 September 1958, and subsequently released to the Press a report on the interview which had been approved by the Chairman(“). The Committee's main conclusion, quoted above, was rejected as being "unfounded and Indian-inspired". The Board's attitude was that the proclamation had been passed by the Government, had the effect of law, and could not be questioned. The endeavour would be made to implement it with equity. Extensions of time within which to move could, in terms of the Act, be granted to those Indians who could make out a good case.

Representatives of the Board stated that it was clear that the Indians had too large a share of trade, and that they would have to submit to some curtailment of their trade in the interests of other groups, mostly Non-White. Other occupations would gradually be opened to Indians as the Non-White universities and the general movement of races into their
respective group areas got under way. There would be no objection to the Indians starting industries.
The report concluded by saying that the Board’s view obviously was that suffering caused by the Act should be borne for the good of the community and for the furtherance of racial separation.
The Chairman of the Inter-Church Committee subsequently stated that members would continue to do all they could to arouse the Christian conscience.

GROUP AREAS IN DURBAN
The background
Some six months after the Group Areas Act became law in 1950, the Durban City Council set up a Technical Sub-Committee to prepare a scheme for its implementation. After some two years' work, this Sub-Committee submitted its plan, which made use of river systems, railway lines and arterial roads as "buffers", and endeavoured to provide direct access for all groups to their places of work. The broad plan was that, apart from the business and industrial belt (the "working area"), which was not zoned, the entire area between the Umgeni and Umbilo Rivers from the sea to Westville should be reserved for Whites, the Indians and Coloured people to be allocated land to the north and south of this, and the Africans to live still further out, beyond the Indian areas.
In terms of this plan, many thousands of Indians, Africans and Coloured people would gradually have had to move from the central areas; but the White group would not have been unaffected, as it was suggested that the White suburbs of Montclair and Woodlands, and the "mixed" White and Indian suburbs of Hillary, Bellair, Rossburgh and Sea View, should in time become Indian areas. All these are situated in the proposed Indian belt to the south of the city.
But, after vehement protests against the proposals had been made by the White residents of these suburbs, they were all rezoned for Whites. The plan was further amended to allow Coloured people to retain their township of Sparks Estate, which is situated in the north-western part of the proposed White area.
This was the scheme submitted by the City Council to the then Land Tenure Board when the Board held a public sitting in Durban during 1953. A slight amendment - again at the expense of the Indians - was made following discussions between representatives of the City Council and a Reference and Planning Committee. This revised plan was very largely adopted by the

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Land Tenure Board in its recommendations to the Minister of the Interior, which were announced in July 1954: the only differences were that the Board made slight boundary adjustments, and deferred any decision in regard to Sparks Estate and certain other areas.
There matters rested for 31 years. But during this period there was a growing feeling amongst certain City Councillors that the zoning plan was unrealistic. In February 1958 the Council’s Planning and Development Control Committee decided to call for a comprehensive report in order that the situation might be reassessed.
Ten prominent citizens of Durban signed a statement, which was published in the Mercury(5), welcoming this decision. Indian leaders pointed out that, in terms of the plan adopted by the Council in 1953, their group was called upon to make vast sacrifices. The Institute of Race Relations (Natal Coastal Region) sent a memorandum NCR 21/1958 to the Town Clerk, urging that the fullest data concerning each area under review should be compiled and made available. On 5 June 1958 the City Council decided to prepare new zoning plans, paying more regard to the pattern of distribution of the various racial groups and to the desirability of the minimum disturbance of settled communities. It further resolved that the Cato Manor area, previously zoned for Whites, should be zoned for Indians and that the Minister be requested not to make any proclamations for Durban until the new zoning proposals had been submitted to the Board. But on the very next day - June 6th - group areas for Durban were proclaimed. With only very minor boundary changes they follow the recommendations of the Board to the Minister published in July 1954.

The terms of the Proclamations
The areas defined in the proclamations fall into two categories - those areas specified for White and for Indian ownership and occupation within one year, and those determining White, Indian and Coloured ownership and future (undated) occupation.

The area determined for White ownership and occupation within one year includes the Beach residential area, Berea, Sherwood, Woodlands, Montclair and the old "Main Line" suburbs, the Bluff and Durban North. Areas of "mixed occupation" in these suburbs are excluded. The displacement of Non-Whites from these areas will be very small - not more than 40 families are likely to be affected.


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It is, however, in the areas proclaimed for White ownership and future occupation that profound changes will occur. NonWhites are to be excluded from the "mixed areas" (Riverside, Prospect Hall, Mayville, Overport, the low lying pockets in the old Main Line suburbs and the Bluff); and Cato Manor is to be zoned as White. In brief, with the exception of the areas deferred for further consideration by the Board (the Coloured housing scheme at Sparks Estate, the densely Indian-settled adjoining area in Sydenham, and certain areas in the extreme north and south of Durban) and the important "working area" on which no recommendation has yet been made, the overwhelming proportion of residentially developed Durban has been earmarked for European ownership and occupation.

The situation is more readily grasped if the areas zoned for Indians and Coloureds, are specifically enumerated.

The only area demarcated for the Coloured community is low-lying land at Wentworth, zoned for ownership and future occupation. Very few Coloured people are at present in this area.

The Indian community has been allotted only two areas within the City boundary. The one, zoned for immediate ownership and future occupation, is a low lying tract of land in the Wentworth-Merebank area, adjacent to the oil refinery.
The other consists of a long rectangular belt, partly for "immediate" and partly for "future" occupation, running parallel with the southern boundary of the Umgeni River and including part of the Springfield Housing Scheme, Clare Estate and Reservoir Hills. This long belt is extended over the City boundary to include part of the adjacent Chiltern Hills in the area of the Westville Town Board. Two areas of land also outside the City boundary and to the south-east, between the Umhlatuzana and Umlaas Rivers, have been declared "immediate" and "future" group areas respectively.

The effects of the Proclamations

The situation in Durban is peculiarly confused. Despite the proclamations of June 6th the City Council is pursuing its re-assessment of zoning proposals on "realistic lines". When the review is finally agreed upon by the Council it is intended to make representations to the Minister to "deproclaim" such areas as conflict with the new plan.

In the interim the proclamations are in force and the effects must necessarily be considered in terms of the existing position and not in terms of what may or may not eventuate in the future.

The Group Areas Board estimates that some 25,000 properties are "affected" by the proclamation. In the Assembly on 5 August, 1958, the Minister of the Interior said(26) that, according to estimates based on 1951 census figures, 1,000 Whites, 75,000 Indians and 8,500 Coloured people would eventually have to be moved from the proclaimed area. There are possibly 81,000 Africans who will also have to move. At a meeting held on the Indians' "Day of Mourning and Protest", which is described below, the Chairman, Mr. J. N. Singh, said that if the central working areas and Clairwood should later be zoned White, an additional 54,000 Indians, 6,000 Coloured people and 44,000 Africans would be affected. In terms of the existing proclamation, he added, and working on much outdated municipal rateable values, Indians would lose property worth £4,548,620, while Coloured and African people would have to give up property worth £55,480 and £20,340 respectively. Indians maintain that the present market value of their affected properties is nearer £20-million.

One of the major blows for Indians is the loss of the Cato Manor-Mayville area, most of which has been in Indian occupation for some 80 years, and where some 40,000 reside. The community has invested very substantial sums in houses, shops, schools, factories, temples, mosques, a cemetery, a modern crematorium, a cinema and recreation grounds. The Minister of the Interior recently said(7) that when the public inquiry was in progress in Durban, it was represented to the Board that Cato Manor was the main gateway to the interior, and should be kept in White hands.

Another bitter blow for the Indians is the fact that Riverside and Prospect Hall, north of the mouth of the Umgeni River, are zoned for Whites. Indians settled in these parts about 95 years ago, when they were peri-urban areas outside the
borough boundaries. Two of the Indians' oldest and most cherished mosques, four Indian schools, a cemetery and other community activities have been established there.

Africans are to lose Chateau and Good Hope Estates - the only areas in Durban where they can own land in freehold - and no alternative freehold is provided. The Coloured residents of Sparks Estate, the Indians living at Sydenham and Clairwood and the traders in the central business area, are left in a state of uncertainty and anxiety. It is probable that Indian traders will be permitted to remain in parts of the central area: the Minister said(“) that control was being exercised there through the permit system. Permits have recently been granted for the erection in this area of flats for Indians and an hotel for Non-Whites.

In a press statement on the group areas proclamation (N.C.R. 45/1958), the Institute of Race Relations (Natal Coastal Region) pointed out that in a major portion of the borough area Indians would in future be permitted to sell their properties to White

(27) Assembly, 10 September 1958, Hansard 9 col. 3473.
(28) Col. 3477.

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persons only, and would be unable to bequeath these properties to their heirs. Substantial losses to owners were inevitable, in spite of the machinery provided by the Group Areas Development Act, especially in view of the fact that Whites were unlikely to want to buy many of these properties, for example those situated in the humid, low-lying valleys. In areas where affected owners were temporarily allowed to remain in occupation, property development was "frozen", and overcrowding must inevitably continue and increase. Thousands of those to be displaced would not have the means to build or to become economic tenants of housing schemes.

Many of the losses were tangible and could be measured in material terms, the Institute continued. But there could be no monetary evaluation of the attachments most human beings had to their homes, and no compensation for the effects of the entire disruption of family and community life.

Reactions to the proclamation
June 26 was set aside by the Indians as a "Day of Mourning and Protest". All Indian schools, shops and businesses remained closed. About 12,000 Indians gathered at the Currie's Fountain sports stadium where, for the first time, speakers from the Natal Indian Congress, the Natal Indian Organization and the Durban Combined Indian Ratepayers' Association appeared on the same platform. The meeting called upon the Government to de-proclaim the areas, urged the City Council to support this plea, appealed to South African citizens to demand the repeal of the Act, and called on the peoples of the world to give their moral support.

A number of prominent European citizens of Durban, including churchmen, Members of Parliament, university professors and advocates, signed a statement which was released to the press, in which they said they shared the distress of 100,000 people who would eventually be uprooted from their homes. "We are
"sure", they said, "that the community's sense of justice and humanity will be shocked by the inequality of the sacrifice falling upon the Non-European citizens of Durban".

Africans living at Cato Manor formed a protest committee, and handed a petition to the Mayor.

Regarding the re-zoning review by the City Council, the Minister of the Interior said(2"), "The main object in proclaiming an area is to have certainty as regards its future racial development. A revision of its proclaimed boundaries can only be considered in exceptional circumstances and on good cause shown".

Thousands of affected people were required within one month to submit returns regarding their properties. The City Council urged, unavailingly, that they be granted an extension of time. In (29) Assembly, 5 August 1958, Hansard 5 col. 1472.

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order to assist them, the Institute of Race Relations prepared a memorandum NCR. 44/1958, in which the necessary procedure was fully explained. This was published in a daily Durban newspaper.

FURTHER GROUP AREAS PROCLAIMED DURING THE YEAR

Group areas for Whites have recently been proclaimed in Wolmaransstad (Transvaal), and for Whites and Coloured people in Pearston and Steytlerville in the Cape.

PROPOSED GROUP AREAS IN OTHER TOWNS

Springs

A committee of the Group Areas Board visited Springs in November 1957 to hear evidence on advertised proposals which had apparently been made by the Board itself.

There are about 1,100 Indians in Springs, where the total population is 128,000. They first arrived in the area in 1886. Forty-two of them live on four stands in the central part of the town (given to Indians by President Kruger himself) and on one stand in Geduld, and between them have 23 trading licences - as against 1,192 held by Whites. The rest of the Indians live in very badly overcrowded conditions in Bakerton township, which adjoins the African township of Payneville. The homes of the Coloured people, who number about 1,200, are scattered throughout the municipal area.

The Africans are gradually being moved from Payneville to Kwa Thema, on the other side of the town. The advertised proposals were that Indians in the central area should be forced to leave, that part of Payneville should be allocated to Coloured people, and that the rest of it should be added to Bakerton to provide for Indian expansion.

The Indians strongly opposed the suggestion that they should have to leave the central area. A representative of a mining company strongly urged that Payneville should be zoned for Whites.

Germiston and neighbouring towns

The Germiston City Council has purchased land at Rooikraal, about ten miles out of town, which it suggests should be proclaimed as a group area for its 2,000
Coloured people and also for the Coloured citizens of Brakpan, Boksburg, Alberton and Elsburg.

It also suggests that the Rietvallei area, 14 miles out, should be a group area for the Indian people in these towns.

Benoni

The African population of Benoni was originally accommodated in the Old Location, where the people built their homes, many of these being of a high standard. Later, as the population grew, a show township was developed by the municipality at Wattville, which is separated from the Old Location by a railway line. Even this extended area proved inadequate as time went by, and groups of squatters erected shacks in widely dispersed areas around the town. These squatters were eventually moved to the Apex Emergency Camp, and then, in recent years, were again moved to Daveyton, which is about ten miles out of town. In spite of the fact that the Old Location and Wattville are cut off from the White areas by a railway line, an industrial area and old mining ground, the Mentz Committee(“) recommended that the 25,000 Africans living in these areas should also be moved out to Daveyton.

Adjoining the Location to the west is a township for Benoni's Coloured population of between four and five thousand. Some of these people have built their own dwellings, while others live in a Municipal housing scheme. On the other side of the Location is the Asiatic Bazaar, where some 2,000 Indians live in badly overcrowded conditions. They have established numbers of shops, their trade being mainly with the neighbouring Africans.

When a committee of the Group Areas Board visited Benoni in August 1958, one of the schemes discussed was that the Africans should all be moved out to Daveyton, as the Mentz Commission proposed; that the Coloured people should go to Wattville; and that the Old Location be allocated for Indian expansion. An alternative proposal was that the Coloured people should be moved to old mining ground at Modder B, some five to seven miles out of town; and that Wattville and the present Coloured area be zoned for White industry.

These proposals are opposed firmly by all the Non-White groups. The Coloured people do not want to leave their present township. Indians point out that business competition will become intensified when about 35 Indian traders from the peri-urban areas are forced to move into the Bazaar; and that if, on top of this, their African customers are moved away, most of them will be ruined. The Africans are most unwilling to go to Daveyton. Many residents of the Old Location own good houses there; the Wattville township is far more attractive and better serviced than Daveyton; and as Daveyton is further out of town, transport charges are higher.

The people have contributed to various amenities in the older-established areas, and have social relationships which will be destroyed if they are forced to move. A mass Non-White protest rally, organized by the Transvaal Indian Congress, the Coloured People's Vigilance Committee and the S.A. Coloured People's Organization, was held on 24 August 1958.

Potchefstroom

Indians first came to Potchefstroom in 1885. Since 1918 there has been no infiltration from other areas, and the Indian population has grown more slowly than has the White.

In the western part of the town, around Potgieter Street, live 143 Indians with 21 businesses, all established before 1918. About 95 per cent of their trade is with Whites. Four of the shops are leased from White people, the remainder being owned by Indian individuals or companies. An average amount of £4,000 has to be paid for goodwill, the value of the businesses, apart from this, being £100,000. A mosque has been established in the Potgieter Street area.

The rest of the Asians (471 Indians and 6 Chinese) live in the Asiatic Bazaar, where they are granted tenure on a threemonthly basis only. They run 48 businesses, trading mainly with the Africans and Coloured people who live in a neighbouring location.

When a committee of the Group Areas Board visited Potchefstroom early in 1958 the Town Council's representative said that the Africans were all being moved to a new township some distance away. The Council suggested that the western part of their old location should be allocated to the Coloured group, and the eastern part, which adjoins the Bazaar, to the Indians. All the Indian traders in the Potgieter Street area would then be required to move into the Bazaar within three years.

Counter-proposals, made by two groups of White citizens, were that the Indians should all be moved right out of the town, the Bazaar being re-zoned for industry. Counsel appearing for the Indians pointed out that the traders in the Bazaar would suffer a very severe set-back when their African customers were moved away. If the Potgieter Street merchants were required to join them in this area, the whole Indian community was likely to be ruined. He pleaded that, as a minimum concession, the latter group should be permitted to retain both occupation and ownership of their businesses in the town until their deaths.

King William's Town

There are about thirty Coloured and twelve Indian families living in the main part of King William's Town, the Indians being entirely dependent on trade. Other Coloured people live in Leightonville, across the Buffalo River, beyond the Ginsberg African Location.

Proposals for group areas, made by the Eastern Cape Committee of the Group Areas Board, were considered by the Borough Council during June 1958. It was suggested by the Board that the main part of the town should be reserved for Whites. The

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Coloured people should all be moved to a new area on the near side of the river, and the Indians should all go to an area outside the town along the Queenstown road.

The Council was willing to accept the proposals for the Coloured group provided that certain minor boundary adjustments were made. Two European families, living in the suggested Coloured area, would be the only Whites affected. But it urged that the Indians should be allowed to remain in their present premises.

The Institute of Race Relations (Cape Eastern Region) convened a meeting in King Willam's Town on 9 June to inform the public of the effects of the Board's proposals.

**Greytown, Natal**

There are approximately 1,500 Whites and 1,000 Indians in Greytown. By mutual agreement, they have settled amicably in distinct parts of the town, the Indian area being the eastern third.

Plans for group areas were recently drawn up by the Natal committee of the Group Areas Board, counter-proposals being made by the Town Council. Both schemes envisaged the displacement of large numbers of Indians.

A memorandum on these proposals, signed by 107 European burgesses, was sent to the Board and the Council. It was urged that group areas should be proclaimed in accordance with the present grouping: this would cause the minimum of disruption and very little hardship, fairly equally shared by the members of both races.

An appeal was made to both bodies to consider most earnestly the irrevocable moral consequences that would follow the adoption of either of their schemes. The amicable relations between Europeans and Indians that had hitherto been maintained in Greytown would automatically cease. There would be bitterness and distrust and frustration among the Indians, the blame for which would lie at the door of the Christian community.

**Ladysmith, Natal**

About three-quarters of Ladysmith's 3,000 Indians live on the western side of the central portion of the town, around the railway station and along the bank of the Klip River. About 90 per cent of their businesses are there. The Town Council proposed to the Group Areas Board that they should all be moved to an extension of an Indian residential area across the river, where their trade with White customers would be very seriously impeded.

The Council suggested that all the Coloured people should go to an area on the northern outskirts of the town, where some of them already own properties; and that the whole of the central area should be zoned for the White group.

Later, however, the Natal Committee of the Group Areas Board proposed that the north-eastern portion of this central area, known as the Illing Road area, should be allocated to the Coloured group. Early in 1958, when it re-visited Ladysmith to hear representations on this plan, both the White citizens and the Indians voiced their opposition.

Statistics compiled by Mr. A. C. Naidoo, Vice-Principal of the Indian high school, were presented. In this corner of the town, Mr. Naidoo showed, there were 513
Indian, about 380 White, 43 Coloured and 41 African residents. The Indians owned 100 properties, valued at £153,545 (76 per cent of the total valuation of the area). Whites owned 37 properties valued at £38,490; Africans ten, valued at £5,640, and Coloured people only two, valued at £1,135. There were 22 Indian businesses in the area, with stock and goodwill worth £100,000.

It was pointed out that in the whole of Ladysmith there were only about 500 Coloured people whose total holdings amounted to under £10,000. How could they be expected, even with the assistance of the Development Board, to buy up the Illing Road area?, witnesses asked.

PROVISION OF SERVICES FOR THE INDIAN GROUP AREA IN BRITS

It was mentioned earlier that during November 1957 the Minister of the Interior discussed with representatives of local authorities a draft Bill to amend the Group Areas Development Act, in terms of which the Government would have been able to force local authorities to provide, or to pay for, services and possibly also housing in new group areas, whether or not these were within the municipal boundaries. The attitude of certain of the municipalities was that, as the Group Areas Act represented national policy, financial responsibility rested with the State. The measure has so far not been proceeded with.

In the meanwhile, many of the newly-proclaimed, Indian group areas lack services. Numbers of Indians have welcomed this, as plans for their removal to isolated areas have been held up. But in other cases the Indians have been penalized as a result.

Brits (central Transvaal) is a case in point. In about 1935 a gentleman's agreement was reached there, in terms of which the Whites would live to the north of the railway line, and the Indians to the south. When the Land Tenure Act was amended in 1936 to enable Indians to own property in exempted areas, the Indians applied for the latter area to be so exempted, and for the establishment of a township there. The area was surveyed, a township to be called Primindia was planned, and, subject to the usual conditions, the application was approved.

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These conditions were that property holdings must be consolidated to conform with the township layout, and that the applicants (the Indians) must make arrangements with the local authority for the supply of water, electricity and sanitary services, and for the filling and grading of roads. The Town Council pointed out that its existing water and electricity mains were overloaded, and the Indians then agreed to advance the money necessary for the extension of these services.

In evidence given later in court(?) the Town Clerk said that the estimated cost of extending the mains and providing the necessary services was £17,000. £10,000 of this amount was apparently to be refunded to the Indians in due course. Mr. I. S. Sayanvale, who had bought a property in the western portion of Primindia,
contributed between £3,000 and £4,000, and other Indians promised smaller amounts.

At that stage the Group Areas Act was passed. When the then Land Tenure Board visited Brits in 1954, the Town Council suggested that the Indians should be moved about a mile further out of town, but this proposal was not adopted. Group areas were proclaimed in November 1955, the Indian area being the eastern two-thirds of Primindia. The remainder of this area was zoned for industry (although the existing supplies of both water and electricity were inadequate to permit of industrial expansion).

The provisions of the Act in regard to occupation were to apply within one year, which meant that about ten Indian families (including that of Mr. Sayanvale) who were living in the excised portion of Primindia would have to move out by November 1956, unless they were granted permits to remain. Several of these families owned the plots on which they were living. As the Development Act was not applied and immediate industrial development was unlikely, it appeared that if owners sold out, it would be at a loss.

The surveyor then had to change his plans to limit the township to the proclaimed Indian group area. After the diagrams had been amended, the establishment of the township was approved by the Surveyor-General and the Townships Board, again subject to the provision of necessary services.

In December 1957 the Town Clerk sent a circular letter to the Indians, insisting that the original conditions be fulfilled before the township was proclaimed. No buildings could meanwhile be lawfully erected. The balance of the money was, however, not found: at the court case referred to above, the Indians protested that they were a small community and could not possibly raise £17,000. (They number about 500 in all, and although there are

(31) Record of proceedings in the magistrate's court, Brits. 22 May 1958, in the case the
Crown v'. I. S. Sayanvale.

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one or two comparatively large general dealers' establishments, the majority of the wage-earners are very small traders, shopassistants, hawkers or handymen).

During April 1958, thirteen Indians were charged with living unlawfully outside the Indian group area without permits. It was decided that Mr. Sayanvale would stand trial in a test case. Although it transpired that the Group Areas Board had refused to grant him a permit, and although it was proved that he could not move into the Indian group area until this had been proclaimed as a township, he was found guilty and sentenced to a fine of £10 or fourteen days' imprisonment.

Notice of appeal to the Transvaal Provincial Division was given. According to a Press report(32), further prosecutions followed. Negotiations between the Town Council and the Indians in regard to the provision of services were still in progress at the time of writing. The appeal had not been heard. Mr. Sayanvale will maintain, firstly, that it was impossible for him to obey the law by moving into the Indian group area, and secondly, that the Town Council rendered this impossible.
The Indians contend that, in view of the fact that the law was changed by the passing of the Group Areas Act, and because they are ratepayers, it is the Town Council's responsibility to provide services for the Indian group area.

HOUSING

ETHNIC GROUPING OF AFRICANS IN URBAN HOUSING SCHEMES

The Government's policy of ethnic grouping of the Africans in urban townships was outlined in previous issues of this Survey(1).

The Johannesburg Riots Commission(2) stated in its report "There can to our mind be no doubt that the implementation of the policy of ethnic grouping was one of the causes which led to and facilitated the rioting (in September 1957) . . . There is a strong probability that in the future, inter-tribal fighting on a large scale will follow minor disagreements and brawls in the townships which but for ethnic grouping would not go beyond such brawls and disagreements. There is a wealth of evidence to support this view". The Commission mentioned, inter alia, that three leading Basuto chiefs and three leading Zulu chiefs, who at the instance of the Johannesburg Municipality had exhorted their respective followers to refrain from further rioting, subsequently told municipal representatives they had formed the impression that ethnic grouping was causing friction between the different tribal factions, and was one of the material factors in the disturbances which had arisen.

(2) See page 42, Chapter VI, pages 64-76 of report.

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"In our view", the Commission stated, "ethnic grouping will have the inevitable effect of maintaining and encouraging antagonisms". Members made it clear that their remarks applied only to the area with which they were dealing. "We are not concerned", they said, "with the question whether that policy (of ethnic grouping) is or is not a sound policy in regard to other urban areas or in regard to rural areas".

In Table A, attached to the report, the Commission showed the extent of inter-tribal marriage in Johannesburg. Only 66 per cent of marriages of Xhosa men, for example, and 53 per cent of those of Northern Sotho men, were to women of the group concerned.

The Native Affairs Department does not share the Commission's view. Its Chief Information Officer said during June(3), "There were riots before this (ethnic grouping) became the rule; some had ethnic origins - but this was not necessarily so. Ethnic grouping leads to better administration, control, and educational facilities".

DETERMINATION OF RENTALS IN AFRICAN HOUSING SCHEMES

Policy

The Minister of Labour (on behalf of the Minister of Native Affairs) said in Parliament(4) that the Department had adopted the policy of making economic (rather than sub-economic) loan funds available to local authorities for housing
schemes for Africans, who themselves now paid for the houses either by way of rental or purchase. Loans made during recent years were:

<table>
<thead>
<tr>
<th>Year</th>
<th>Economic</th>
<th>Sub-economic</th>
</tr>
</thead>
<tbody>
<tr>
<td>1950-1</td>
<td>£741,867</td>
<td>£2,161,728</td>
</tr>
<tr>
<td>1951-2</td>
<td>313,446</td>
<td>1,449,147</td>
</tr>
<tr>
<td>1952-3</td>
<td>798,324</td>
<td>1,841,343</td>
</tr>
<tr>
<td>1953-4</td>
<td>1,683,907</td>
<td>1,886,465</td>
</tr>
<tr>
<td>1954-5</td>
<td>2,446,064</td>
<td>669,465</td>
</tr>
<tr>
<td>1955-6</td>
<td>4,301,748</td>
<td>209,982</td>
</tr>
<tr>
<td>1956-7</td>
<td>4,484,175</td>
<td>111,662</td>
</tr>
</tbody>
</table>

Several of the sub-economic housing schemes erected in former years, e.g. Atteridgeville, Pretoria, have been placed on an economic basis, the rentals being raised so that the Africans themselves pay the interest on the loan, calculated at economic rates, and also, over a period of years, repay the State loan.

In those sub-economic schemes that have been retained, Africans pay sub-economic rentals only when their incomes are £15 a month or below. The family income is calculated according to a formula devised by the Government. The sliding scale is then applied: for each 10/- by which the income rises above £15 a month, 3/- is added to the rental until a fully economic rent is paid (generally when the family income reaches about £19 a month).

In towns where there are no sub-economic schemes, Pretoria for example, all Africans, however low their incomes may be, are forced to pay fully economic rentals, unless a remission is granted in individual cases.

The Johannesburg Municipality recently revised the rentals payable in all housing schemes. Previous to this, families living in schemes that happened to have been less expensive than others to construct were in an advantageous position; but a more equitable basis has now been adopted, the rentals being calculated according to the size of the dwellings, the amenities available locally, distance from transport facilities, etc.

The City Council decided that it would subsidize the rentals of all families with low incomes, whether or not they lived in sub-economic schemes. All those with incomes of £20 or less would pay sub-economic rentals, and the sliding scale would be applied above the £20 limit, until the rentals became fully economic when the family income reached £24 or £24 10s. Od. As a result of these decisions, the Council receives a considerably smaller sum in rentals than it has to pay in interest and capital redemption: this difference, amounting to about £80,000 a year, is met from general rates (not the Native Revenue Account).

A minority of Africans who live in housing schemes that were comparatively expensive to build have had their rents reduced, following the general revision; but in most cases the rents have risen slightly. Sub-economic rents now vary from...
£1 for two-roomed dwellings (previously 17/4) to £2 12s. 6d. for the better type four-roomed houses. Fully economic rents range from £2 for two-roomed austerity dwellings to an average of about £3 12s. 6d. for four-roomed houses. Higher rents than £3 17s. 6d. are charged only in the cases of a few houses of well above average quality built at Orlando and Eastern Native Township for families in the higher income groups who may wish to live in better circumstances.

Cape Town

It was mentioned in the previous issue of this Survey(7) that in September 1957, the 10,000 African families living in municipal townships in Pretoria were £60,000 in arrears with their rentals. The City Council suggested to the Native Affairs Department that

(6) According to the report of the Riots Commission.
(7) 1956-57, page 123.

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this sum be recovered from the Kaffir Beer Appropriation Account; that no African family should pay more than one-fifth of its income in rent; and that the difference between the amounts paid and the economic rentals be paid from Kaffir Beer profits.

The Department was unwilling to sanction these general suggestions. It informed the Council that a schedule should be prepared of the families whose rents were in arrears, the individual circumstances that had led to this, and the reasons justifying a write-off. It considered that the Africans of Pretoria were largely to blame for the situation. In a letter to the Institute of Race Relations(8) the Secretary for Native Affairs gave the Department's reasons for this conclusion:

1. When the sub-economic scheme at Atteridgeville was placed on an economic basis, he said, those families who could not afford the higher rentals were offered cheaper houses of two or four rooms. The majority of the tenants, however, did not avail themselves of this offer, with the result that they fell into arrears with their rent.

2. Certain Africans instituted legal proceedings against the Council, and while the cases were pending refused to pay the economic rentals, with the result that when the cases were ultimately decided in favour of the Council, these families were in substantial arrears.

3. The Council set aside an area in Atteridgeville for a selfbuilding scheme. Loans in the form of building materials, and technical advice, were available; but until very recently only two families had availed themselves of the opportunity of building their own homes.

4. Some 860 two-roomed houses were provided at Atteridgeville and Vlakfontein to cater for the lower income groups, but the Africans refused to take occupation unless the dwellings were converted to four-roomed houses, and 638 houses had been so converted.
In August 1957 about 300 of the smaller houses were standing empty. One reason for this was that they were too small for the average African family. Another was that the rental for the two-roomed houses was only 10/- a month less than for the four-roomed ones. The foundations for four rooms were laid at the start to enable the families to extend the dwellings when they could afford to do so, which increased the price of construction. The Pretoria Joint Council of Europeans and Non-Europeans points out, however, that it was the City Council, and not the Africans, who urged that the houses be converted. Its reasons were that the difference in rentals was so slight; that the foundations for the two additional rooms were being damaged; and that, because the two-roomed dwellings were too small, the Africans were refusing to demolish temporary shacks previously erected on the sites.

(8) No. 87/313 (H) dated 5 August 1958.

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The Joint Council also points out that the cheapest rents available are £2 5s. 3d. or £2 7s. 3d. Africans being moved from areas such as Eastwood and Mooiplaats (now zoned for Whites) have no option but to move into houses for which these rents are charged. Only 19/4 of the so-called rent goes towards interest and redemption of the housing loan: of the remainder, about 18/ is the charge for individual services such as water, sewerage and rubbish removal; and about 10/- is the charge for public services - health and sports facilities and township administration. The charge for services is far too high, the Joint Council considers. Few Africans can afford to pay these rents, especially in view of the fact that transport to and from town costs the worker between £1 and £1 ills. 6d. a month, depending on where his home is situated.

Port Elizabeth

It is not only in Pretoria that Africans are falling into arrears with their rents. There are no sub-economic schemes in Port Elizabeth, either. By July 1958 the amount of rent in arrears was equal to one month’s rental for all the houses in all townships.

Grahamstown

In Grahamstown, where on average Africans earn between £4 6s. 8d. and £10 16s. 8d. a month, the rentals are from £1 12s. 9d. to £2 15s. Od. Over a five-month period the Council wrote off more than £400 in unpaid rentals, and ejected 48 families for nonpayment. A further £1,000, owing by the Coloured community, was written off.

Surveys by Rhodes University showed a grave state of dire poverty in the Coloured and African areas. This shocked the European residents into arranging a meeting, which was attended by representatives of the English-speaking churches, the Jewish community, the Municipality, Chamber of Commerce and a number of voluntary societies. A committee was elected to raise funds for short-term relief, and to urge employers to pay higher wages.

Benoni
It is reported (Rand Daily Mail, 26 November 1958) that the 8,000 African families living in Daveyton Township owe more than £40,000 in arrear rent.

Durban

According to a municipal survey in Durban, at least 15,000 African families are in need of housing. The Kwa Mashu housing scheme is to be developed at Duffs Road, some eleven miles to the north of the city, to cater for these people. The original plan was to build some 12,000 houses there, grouped in eight neighbourhood units, and hostels for 25,000 men.

The first unit of houses has been completed and is being occupied. For various technical reasons the cost of levelling the ground and building is high in Durban, and even after the Municipality had pruned service charges to the utmost considered feasible, the proposed rents at Kwa Mashu were:

<table>
<thead>
<tr>
<th>Type of House</th>
<th>Purchasing scheme</th>
<th>Letting scheme</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detached house</td>
<td>£3 4 1</td>
<td>£3 9 3</td>
</tr>
<tr>
<td>Semi-detached</td>
<td>£2 19 10</td>
<td>£3 5 0</td>
</tr>
</tbody>
</table>

The township is served by rail, a monthly worker's ticket costing £1 10s. 6d.

The municipal survey showed that only 18 per cent of the African families had incomes of more than £15 a month, and might be able to pay these rents. Some 43 per cent had less than £10 a month, barely sufficient to pay the site rental of £1 6s. 8d. this group could certainly not afford also to pay house rent and service charges.

On 9 September 1958 the Institute of Race Relations (Natal Coastal Branch) sent a memorandum, NCR 67/58, to the Town Clerk, expressing deep concern at the high scale of rentals in relation to the low earning capacity of the large majority of the Africans.

The City Council is in a quandary. It appears pointless to build more houses at Kwa Mashu than are needed by the 18 per cent of families who could possibly afford to pay the rent. Site-and-service schemes are unlikely to solve the problem, since there is little probability that incomes will rise sufficiently to enable the people to build permanent homes of reasonable standard within the five-year period stipulated. Standard four-roomed houses are being divided into two units each of two rooms, let at half the rent; but these will be suitable only for very small families.

The Institute urged that the rentals should be subsidized from general borough revenue.

Cape Town

In Nyanga township (developed by the Divisional Council of the Cape), the rentals of certain types of houses have also been placed on an economic basis, resulting in an increase of from £2 3s. 4d. to £4 15s. Gd. a month.

Residents of the municipal township of Langa have also been required to pay higher rents if their family incomes are more than £15 a month. Previous to this the Native Revenue Account had been subsidized to the extent of about £40,000 a year.
One of the Natives' Representatives pointed out in Parliament() that Africans simply could not afford to pay these rents. Many fell into arrears, were ejected, and were then forced to return.


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to the reserves or to work at low wages for European farmers. Others struggled on, hoping that their incomes would eventually be increased, but meanwhile having to prune most severely their expenditure on the food and clothing necessary for healthy living.

Representations by the Institute of Race Relations to the Native Affairs Department

The Institute of Race Relations has been in communication with the Native Affairs Department, maintaining it is clear that a large proportion of the urban Africans cannot afford to pay rents calculated on an economic basis, and that either arrears will have to be written off, or the rentals payable by the poorer families will have to be subsidized until such time as wage levels approximate more closely to minimum costs of living.

The Secretary for Native Affairs replied("°):

"I wish to inform you that it is the policy of the Department that Natives employed in urban areas should be provided with accommodation in accordance with their earnings. If their monthly incomes are not sufficient to allow them to occupy fourroomed dwellings, the responsible local authorities should consider the provision of cheaper three-roomed or even two-roomed houses or to commence self-building schemes which are normally substantially cheaper than schemes constructed departmentally or under contract. These methods have been carried out very successfully by numerous local authorities with the result that the Natives in these areas have experienced little or no financial difficulties in meeting their monthly rental payments.

"The Department is constantly urging local authorities to bear the above considerations in mind when applying for new schemes . . . "The Department is not in favour of further subsidized schemes as it is satisfied that the vast majority of families can be accommodated on an economic basis on one or other of the abovementioned methods . . .

In acknowledging this letter, the Institute of Race Relations mentioned, inter alia, that two- or three-roomed houses would be adequate for small families, but if large families were moved into them, slums would probably result. It reiterated its conviction that the rentals of all families with incomes below the minimum necessary for health and decency should be subsidized, whether or not the dwellings were erected from sub-economic loan funds.

The Institute passed the Department's suggestions to its local representatives in various towns, and asked them to urge their local authorities to do all they could...
to keep service charges to an absolute minimum, and to follow Johannesburg's
lead by themselves, from general rates, subsidizing the rentals of poorer families
until such time as a longer-term solution is found.
(10) Letter No. 87/313 (H) of 24 September 1958.

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HOSTELS IN AFRICAN TOWNSHIPS
The Institute of Race Relations has also been in communication with the
Department of Native Affairs in regard to hostel accommodation in African
townships. It maintained that it is socially undesirable to place enormous hostels,
catering for about 5,000 unattached men, in the midst of family dwellings; and
suggested that smaller hostel units should be provided, and that bodies such as the
Round Table, the Y.M.C.A., Toc H, etc., should be invited to interest themselves
in the moral welfare of the inhabitants. Useful new ideas might well result from
experimentation in the running of hostels, the Institute said.
The Secretary for Native Affairs replied(1) that the Department's policy was that
the various ethnic groups should be accommodated in separate residential areas
within the townships. Hostel sites for those not living under family conditions
were in the past generally selected near the entrance to each ethnic group area, if
possible near a railway station, so that the hostel inmates lived near people of
similar ethnic origin, and yet large numbers of single men did not cross the family
areas on their way to and from work.
Recently, the Secretary continued, certain Departmental officials had suggested
that it might be preferable to provide smaller hostel units within the family areas.
This would facilitate
administration and control, as well as the provision of amenities. A special
committee consisting of officials of the Housing Office and the Native Affairs
Department was investigating this aspect, as well as the types of buildings,
cooking facilities and amenities that would be required.
Hostels were administered by the local authorities, the Secretary concluded, and
they should also see to the social, social welfare and recreational needs of the
inmates. The Urban Areas Inspectorate of the Department had been instructed to
urge local authorities to provide adequate amenities.
FINANCING OF HOUSING SCHEMES
With the establishment of a National Housing Fund (described in the previous
issue of this Survey(’1) ), the unspent balances of annual appropriations no longer
revert to the Consolidated Revenue Fund. A sum of £1 1-million was voted from
Loan Funds in 1957-58 for the housing of members of all racial groups(”3), and a
further £7,250,000 was voted for the year 1958-59(1”).
AFRICAN HOUSING SCHEMES IN PROGRESS
The Institute of Race Relations wrote to the forty local authorities which have
about 10,000 or more Africans living in
(11) Letter No. 120/313 (34) of 22 July 1958.
(12) Page 118.
(13) Minister of Health, Senate, 20 August 1958, Hanszrd 3 col. 638.
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their areas, requesting information about their African housing schemes. At the time of writing replies had been received from 34 of them, including all the major urban local authorities. The Natives' Resettlement Board did not respond; but a certain amount of information about Meadowlands is available from articles published in Bantu in February and August, 1958, and from a speech by the Minister of Native Affairs (15).

The information supplied is set out in Annexure III. In a number of Transvaal towns, Springs, Brakpan and Randfontein for example, certain African townships are to be re-sited. If the residents are to be removed within the next five years, their present dwellings are not included in the total number of houses available as at 30 September 1958. The number of dwellings required for their re-housing is included instead, under the heading "Remaining shortage of dwellings".

During the period under review (1 October 1957 to 30 September 1958), phenomenal progress was made in Johannesburg, where 7,499 family dwellings were erected, and the first portion of Jabulani Hostel, containing 170 beds, was completed. The organization of the departmental teams of African building workers is described on page 175.

Excellent progress was made in some other Reef towns, notably Germiston, Alberton and Benoni. Benoni has caught up with its present housing needs; but further large housing schemes may become necessary there if the Africans have to move from the Old Location or Wattville, in terms of the proposals for group areas described on page 115. Altogether, during the year under review, 13,551 family dwellings were built for Africans on the Witwatersrand, 29,247 additional sites were serviced, and 1,766 beds were provided in hostels. There are now totals of 79,389 family dwellings and 36,514 beds in hostels for Africans on the Reef. Other areas in which rapid housing development has taken place include Pretoria, Port Elizabeth, Durban, Bloemfontein, Grahamstown, Odendaalsrus, Potchefstroom, the Cape Divisional Council area, Queenstown, Kroonstad and Uitenhage. Large numbers of new sites have been serviced in site-and-service schemes in Port Elizabeth, Cape Town (Nyanga West), Pretoria, Klerksdorp, Kroonstad, East London and Bethlehem. In the 35 urban areas (including Reef towns) listed in Appendix III, 23,757 family dwellings were built for Africans during the year under review, 45,386 additional sites were serviced (excluding Meadowlands), and 12,102 beds were provided in hostels. As at 30 September 1958 there were totals of 147,841 family dwellings for Africans and 98,492 beds in hostels in these areas. The remaining shortage was about 117,380 dwellings and 48,157 beds.

The town which has far the greatest housing problem is Durban, where there is a shortage of 15,000 dwellings and 20,000 beds in hostels. The difficulties that the Durban City Council is facing are outlined on page 126. Port Elizabeth, Potchefstroom and Krugersdorp are still building "half-houses", i.e. two rooms erected for a start on a foundation laid for a dwelling of four rooms, the houses to be completed when the residents can afford to do so. As was described on page 124, Pretoria has abandoned this scheme. Other towns, Benoni and Johannesburg for example, have preferred to spend a little more on the erection of the complete house in the first place, thus preventing undue overcrowding and doing away with the necessity for untidy shacks in back yards. But then considerable proportions of the residents experience difficulty in paying their rents - unless these are subsidized, as in Johannesburg.

A new African township is to be developed to serve East London, about twelve miles to the north of the city on the railway line to the interior. The families now living at the West Bank and Cambridge Locations will eventually be moved there. The Alexandra Health Committee was disestablished during February, the township being placed under the control of the Peri-Urban Areas Health Board.

With the aid of loan funds made available by the State, and moneys from the Native Services Levy Fund, the Board has commenced improving the roads, water supplies and sanitary services, and intends installing street lighting.

Alexandra Township, which is a little over one square mile in area, could support only about 25,000 people if they were properly housed, but at present some 100,000 Africans live there(6). The residents are being screened. Those who have lived in the township since 1950 or earlier are being granted permits to remain on the Reef, while others who are legally in employment are permitted to remain until they leave their present jobs. Any of these people who work in Germiston, Kempton Park or Edendale will gradually be re-housed in these areas; and it is planned to resettle those employed in the centre or southern suburbs of Johannesburg at Diepkloof No. 9, a block of ground near the Baragwanath Hospital.

Electric lighting was recently installed in every street of Kwa Thema Township in Springs. The Johannesburg City Council is making rapid progress with the lighting of streets in its African townships and has commenced wiring the houses at Orlando East.

HOUSING SCHEMES FOR COLOURED PEOPLE AND INDIANS

In large numbers of towns, housing schemes for Coloured people and Indians continue to be held up pending the demarcation of group areas, or the servicing of the newly proclaimed areas.

for this group of the population. The development of Lenasia by the Group Areas Development Board has been delayed while negotiations were in progress for the expropriation of the land: and services have still to be provided there. Newclare became an area for Coloured occupation as from 3 August 1958. Of the 611 properties there, 224 were owned by Coloured people or Malays at the beginning of 1958, 79 by Indians, 67 by Africans, 29 by the Natives’ Resettlement Board, 18 by Whites, 16 by Churches, the Johannesburg City Council or the State, and the remainder by others, mostly companies(17). Numbers of these properties are slums: the City Council has been condemning many of them under the Slums Act, and having the worst of them demolished. Unfortunately, as the provisions of the Group Areas Development Act were not applied to Newclare, the owners are incurring substantial losses. The Council plans to erect blocks of flats for Coloured people on the plots that are cleared. But a small proportion only of the 7,116 Coloured families(18) of Johannesburg who are in desperate need of housing can be accommodated in this way. These people are at present spread all over the city, many of them being illegal tenants in terms of the Group Areas Act. They are constantly being prosecuted or ejected. As was mentioned earlier, the City Council has urged that the Government should proclaim the farm Langlaagte 152 as a Coloured group area: it would then embark immediately on housing schemes there for the poorer families, and would set land aside on which the Coloured people who will eventually have to leave Albertville and Sophiatown could re-build. It is understood that the Development Board has now purchased Bosmoet and New Montelee, the proclaimed Coloured areas outside the municipal boundaries. Services have not yet been provided. Greater progress with housing schemes has been made in some towns. During the past year Cape Town has built 114 detached dwellings, at Belthorn and Garlandale, for sale to Coloured people, and 906 dwellings at Retreat and Factreton for letting. Of the latter, 200 are half-houses, and the remainder row houses grouped in units of two, three or four. There are altogether now 7,686 dwellings in Cape Town for letting to Coloured people, and 136 in the home ownership scheme. According to the University Housing Survey in 1955 there was a shortage of up to 12,000 dwellings. Municipal authorities state that the real number is substantially less, for as overcrowded families are rehoused, their present dwellings become available for smaller households. But, on the other hand, very
large numbers of adequately housed Coloured people are to be displaced under the group areas proclamations.

Kimberley has during the past year built 50 semi-detached and 50 detached houses for Coloured people in Colville Township, and Coloured families have themselves erected 17 dwellings. There is now a total of 753 municipal houses for this population group, the remaining shortage being about 1,500.

During the same period Durban had 111 detached dwellings built by private contract for Indian ownership under the loan scheme, and 127 more are in the course of planning or erection. A further 160 semi-detached houses are being built in the Merebank/Wentworth area. There are altogether now 1,704 municipal houses available for Indians. The existing shortage is unknown; but 3,975 applications are on hand for houses in the selling scheme, and 1,364 for dwellings in the sub-economic letting scheme. The existing shortage will be vastly increased in terms of the recent group areas proclamation.

Pietermaritzburg built 214 semi-detached dwellings for Indians during the past year, the total number of municipal houses available now being 289, and the shortage about 1,300. A new Indian township is being planned at Northdale, application having been made for loan funds to build 101 "assisted" and 310 economic dwellings. A further 103 plots will be made available for sale to individuals, who will be able to apply for building loans.

THE PROVISION OF SEPARATE AMENITIES

BUS SERVICES

The Motor Carrier Transportation Act of 1930, as amended in 1955, empowered the National Road Transportation Board, or local boards, to issue orders to the operators of bus services stating the "class or classes" of persons who may be carried on any vehicle.

These boards are insisting on the progressive introduction of apartheid in bus services in the larger urban areas. It was mentioned in the last issue of this Survey(1) that the Durban City Council was ordered to introduce completely separate services for Whites and Non-Whites by 1 January 1958. Maintaining that the cost would be quite prohibitive, the Council appealed to the National Board, and eventually was granted an extension of time until 1 January 1960, provided that it introduced apartheid voluntarily on all suitable routes as soon as possible, and that it submitted quarterly progress reports.

(1) Page 139

The Johannesburg City Council, which had received similar instructions, also lodged a successful appeal. The National Board ruled that complete segregation must be introduced on the Newlands route (to the Western Areas) by 1 April 1958, and that plans for segregation on other routes must be worked out in conjunction with the local board.

TAXI SERVICES

Towards the end of 1957 local road transportation boards were instructed, when issuing operating licences for taxis, to endorse on these licences whether White or Non-White passengers were to be carried. Taxis for White persons would have to have White drivers, and vice versa.
Early in 1958 the authorities began enforcing this order. There was much consternation amongst taxi-drivers, particularly those who are Non-White, as their earnings dropped considerably.

On 12 March a taxi owner and his driver were prosecuted in Port Elizabeth for conveying passengers of the wrong racial group. The magistrate found them not guilty. Regulations issued under the Motor Carrier Transportation Act, he said, which required licensees to carry persons of a specified class or race only, could, in terms of a proviso to the Section concerned, be superseded if any other law placed an obligation upon them to carry other persons. The Port Elizabeth municipal regulations authorized and required every taxi driver to accept all fares, of whatever racial group, unless the person concerned was obviously drunk or suffering from an infectious disease.

The Attorney-General of the Cape announced(1) that a similar position obtained in most towns of the Cape. In the circumstances, he had decided that in municipal areas where such regulations were in force, no prosecutions could be instituted, and he had given instructions accordingly.

Soon afterwards, during May, an Indian taxi operator and his driver were found guilty in the Durban magistrate's court of contravening the Motor Carrier Transportation Act by carrying a European passenger, when their certificate entitled them to carry Non-Whites only. The Indians contended that it was stated in the Motor Vehicle By-Laws of Durban that any taxi plying for public hire should not refuse to accept engagements unless actually engaged or hired at the time; but the magistrate did not accept this argument.

Four other Indian owners and drivers were subsequently convicted, and they all appealed to the Supreme Court, Pietermaritzburg. The judge set aside their convictions and sentences. In terms of the Durban by-law, he ruled, they were required to accept European as well as Non-European fares; and the by-law was not

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ultra vires, as the Crown had submitted, merely because it did not discriminate on the basis of colour.

Municipal by-laws in the Transvaal do not permit Non-White drivers to carry European fares.

RESERVATION OF SEPARATE AMENITIES IN THE TRANSVAAL

A Reservation of Separate Amenities Ordinance, similar to that introduced in the Cape in 1955(1), has been passed by the Transvaal Provincial Council. The Administrator may now direct a local authority to reserve all or any part of any premises or land over which it has control for the exclusive use of people belonging to a particular race or class.

This tightens the law, which had previously provided that the person in charge may reserve any public premises or vehicle or portion thereof for the exclusive use of persons belonging to a particular race or class(4).
RURAL AREAS
NATIVE TRUST AND LAND AMENDMENT ACT, No. 41 of 1958

1. Commercial and Economic development of the Reserves
Section nine of the Native Trust and Land Act of 1936, as amended, provided that moneys from the Native Trust Fund might be used for the development of the Reserves for settlement by Africans. When introducing the Native Trust and Land Amendment Bill in the Senate, the Minister of Education, Arts and Science (for the Minister of Native Affairs) said(1) that, as the existing law was phrased, it might be held that such moneys might be used for agricultural development only, and not for economic and industrial development, which were equally necessary.

The Amending Act thus added a Section nine (f) which provides that moneys from the Trust Fund may also be used to advance the interests of Africans in commerce and industry in scheduled or released areas or on Trust land, and, subject to such conditions as the Trustee (the Governor-General) may determine, to provide moneys to be used for that purpose by any body established by Act of Parliament.

The Minister of Native Affairs said in the Assembly(2) that the Government intended introducing a Bill to establish a Bantu Investment Corporation (this was not done during 1958). He had stated during the previous Session(3) that of the amount of £3-million specially voted by Parliament for the development of the Reserves and paid to the Trust Fund, a sum of £500,000 would be set aside to assist Africans to set up commercial and light industrial undertakings in the Reserves. The intention was that this sum should be made available to the proposed Bantu Investment Corporation.

Members of the Opposition raised no objection on principle; but a leading speaker(4) said they would like to know something more about the objects of the proposed Corporation. Did the Minister contemplate the establishment of a separate Bantu economy in competition with the rest of the Union? Such a course would be very undesirable, it was said.

2. Black Spots
Section thirteen of the principal Act enabled the Trust to expropriate land for settlement by Africans in a scheduled or released area. It also enabled the Governor-General to expropriate land elsewhere of which an African is the registered owner (i.e. land in the so-called black spots).

Three months' notice of expropriation, stating the compensation offered, must be served on the registered owner, and on every person shown in the title deeds to have any interest in the land and whose whereabouts can readily be traced. If
African owners apply within the three months, they may be granted alternative land of equal pastoral and agricultural value within a scheduled or released area, instead of monetary compensation. Reports on all land expropriated must be tabled in Parliament.

In the speech quoted above, the Minister of Education, Arts and Science gave an example of a "black spot" registered in 1864 in the name of an African. His successor had not troubled to obtain title to the land, thus on his death it was subdivided among his heirs. The land was still occupied by Africans, but it was now impossible to decide who the legal owner was, on whom notice of expropriation must be served.

The Minister of Native Affairs said(5) that there were many such cases. A few years previously the Government had provided legal machinery by which, at slight cost, Africans could obtain proper proof of ownership. Only a few had done so.

The amending Act added several paragraphs to Section thirteen (3), the effect of which is that the Governor-General may, by proclamation, prescribe the procedure whereby notice of expropriation shall be given in cases where the legal owner of a "black spot" cannot be traced, and may also prescribe the manner in which compensation payable shall be dealt with if it is not claimed. The procedure may vary in different cases. The provisions of the existing law, quoted above, must be carried out; but it was made clear that any person concerned shall be deemed to have agreed to the terms of expropriation if he does not object to the compensation offered within the three months allowed.

(5) Assembly, Hansard 4 col. 1366.

RELATIONS: 1957-58

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The Bill in its original form provided that if an African who is entitled to compensation does not claim this within ten years, he will lose his rights to it, and the sum of money concerned will be paid to the Native Trust. The Government agreed to accept an amendment suggested by the Opposition, in terms of which this period was lengthened to thirty years.

3. Onus of proof

The principal Act provided (Section forty) that in any criminal proceedings under the Act in which the question arises as to whether an African is or is not a servant, labour tenant or squatter, or exempted from any prohibition contained in the Act, the onus of proof shall be on the accused. This did not cover cases in which the racial group of the accused was in doubt. The amending Act adds that in such cases, he shall be deemed to be of the racial group alleged in the charge, unless he proves the contrary.

Section forty-one of the principal Act provided that if an African lives on land owned by "a person other than a Native", it will be assumed unless the contrary is proved that he does so under an agreement with the owner. The amending measure alters the words "a person other than a Native" to "any other person", and
adds that, if in a charge in respect of an offence under this Section it is alleged that the accused is or was resident on that land, he shall be deemed to be, or have been, so resident, unless he proves the contrary. The Minister of Native Affairs said(1) that it is an easy matter for an African to prove that he is an African, as he need only produce his identity card. It is also easy for him to prove where he is resident. But these are difficult matters for the Crown to prove. It may be very hard, for example, for the Crown to establish whether a man is a temporary visitor to an area where Africans are squatting, or is one of the squatters. The Opposition upheld the "golden rule that every man shall be presumed to be innocent until such time as he is proved to be guilty"(7), and maintained that these provisions might operate unjustly, especially in cases where the accused was ignorant and illiterate.

FURTHER APPLICATION OF THE NATIVES (PROHIBITION OF INTERDICTS) ACT

Proclamations Nos. 12 and 13 of 1945, as amended by Proclamation No. 236 of 16 August 1957, which contain regulations for the administration of Trust Land in the Cape, Natal and Transvaal, empower the Native Commissioner to prohibit the grazing of stock in specified areas; to order Africans to move off land reserved for commonages or other purposes; to question (6)Cols. 1369-70. (7) Dr. D. L. Smit, M.P., Col. 1792.

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persons suspected of being unauthorized residents and order them to leave if their presence is unauthorized; to order the removal of any person who uses language or behaves in a manner calculated to cause disturbance or unrest or to hinder peaceful administration; and to cancel rights of occupation wherever this is deemed expedient by the Minister. In terms of Proclamation No. 259 of 1957, the Natives (Prohibition of Interdicts) Act was applied to orders cancelling rights of occupation; and in terms of Proclamation No. 116 of 1958 it was applied to all other orders of the type mentioned above. This means that an African receiving such an order may not apply for an interdict to suspend its execution. He may lodge an appeal only after the order has been obeyed.

Proclamation No. 345 of 1957 extended the provisions of the Natives (Prohibition of Interdicts) Act also to removal orders served on Africans convicted of residing illegally on land in a rural area outside a Reserve or Trust farm. The residence of Africans on such land is illegal unless they own it, or unless they are the servants of the owner, or registered labour tenants or squatters, or the families of such persons. (Sections twenty-six and thirty-seven of the Native Land and Trust Act). 

ACQUISITION OF LAND FOR SETTLEMENT BY AFRICANS

According to the most recent report by the Controller and Auditor-General(2), of the additional 71 million morgen of land which it was decided in 1936 should be
acquired for settlement by Africans, the following had been acquired as at 31 March 1957:

Purchased by the Trust ............ 2,500,397 morgen
Purchased by Africans .......... 380,358 morgen
Crown land vested in the Trust ... 1,784,731 morgen

According to information from the Native Affairs Department, a further 6,961 morgen was purchased by the Trust during the year that followed, leaving 2,577,553 morgen still to be acquired.

Much of the land purchased in recent years has been utilized for the re-settlement of Africans who have been removed from "black spots". The total area available for Africans has, therefore, not been increased to any considerable extent recently.

AGRICULTURAL DEVELOPMENT IN THE RESERVES

Little information has been published by the Department on the agricultural development programme in the Reserves. The Minister of Native Affairs said in Parliament(1) that as at 31 March 1957, 2,424,000 morgen of land had been stabilized (about oneseventh of the total)("), 37,923 miles of grass strips had been planted, and 12,661 miles of boundary and inside fences erected.

(1) U.G. 45/1957, page 790.
(9) Assembly, 15 September 1958, Hansard 10 col. 3815.

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Apart from this, the only published information relates to specific areas or crops. In the official Fortnightly Digest of South African Affairs for 9 May 1958 it was stated that good progress is being made with the driftsands reclamation project on the Zululand coast. Littoral sand dunes that have been eroded away are rebuilt by erecting a barrier of brushwood, on which sand is deposited gradually. When the required height is reached the new dune and the area behind it are sown with indigenous bush or Casuarina trees.

In the Economic Newsletter No. 1 (August 1958), also issued by the S.A. Information Service, it was reported that, on behalf of the Department of Native Affairs, the Department of Forestry was engaged in the establishment of 330,000 acres (about 156,300 morgen) of forest in the Kosi Bay area (N. Zululand), to provide commercial timber. The Native Trust was establishing smaller plantations, which already covered a total of 17,700 morgen, to produce timber for use as fencing poles or firewood, or in hut-building.

According to both reports, fibres are being grown on numbers of demonstration plots in the Transkei and Northern Transvaal: 484 morgen are already under sisal, and 400 morgen under hemp. The people will be taught how to extract the fibre, clean it, and spin it into twine or rope for making mats, rope-soled shoes and other articles.

The growing of sugar cane is also being encouraged. There were previously a number of independent African planters in the Groutville area of Natal; this settlement is being extended, and other families settled as planters in the Umlazi and Imfume Mission Reserves and the Umnini and Umvoti Reserves in the Natal coastal region. The families are selected by a committee presided over by the
Native Commissioner, and each is allocated an economic unit of ten acres, half of which will be harvested each year. The Department assists with ploughing and advances fertilizers and seed cane, the cost of these being repayable when the crops are reaped. Some 7,500 morgen are now under cane. The Umvoti planters have signed a contract with the Melville sugar refinery, while others will deliver to the refinery at Illovo.(1)

The agricultural development of the Reserves was discussed at the Executive Committee meeting of the S.A. Institute of Race Relations in July 1958, following an address by Professor D. Hobart Houghton. It was considered that, although the pace of development had been increased, the work was still patchy, much depending on the interests and attitude of local officials. There was still opposition in many areas to betterment schemes, and especially to the reduction of stock. Africans in certain areas had resented being told to dispose of sheep at a time when European farmers were making fortunes from wool. They disliked being instructed what to do and from a Departmental point of view instructions were unwise since the ventures might fail and the Department would be held responsible. Numbers of European farmers in the Eastern Cape, for example, had turned to pineapple growing after the wool boom was over, and officials had tried to persuade Africans in the Ciskei to do likewise. Fortunately, few had done so, since many of the European ventures failed.

The impression had, however, been gained that many Africans, particularly in the betterment areas, were realizing that the improved methods advocated by the Department were essential.

RURAL VILLAGES

Institute members pointed out that the real problem was what to do with the 50 per cent or more of the population that should be taken off the land. The Tomlinson Commission had advocated that these people should be settled in villages or towns where some 20,000 employment opportunities should be created annually in secondary industry and 30,000 annually in tertiary activities. But, with the exception of Zwelitsha and Umkomaas, the villages so far established had no economic foundation, the people supporting themselves by migrant labour. These villages did, however, have the advantage that women and children could be left there in comparative safety. Their population consisted of persons expelled from the towns and landless families from rural locations. There was great need of some amenities in the villages and for social welfare work.

It was stated in the previous issue of this Survey(1") that thirteen villages had then been proclaimed and sixty more were in course of preparation. Twelve new villages have since been proclaimed.

The Department is hoping to provide a stimulus for the development of villages by gradually moving to the Reserves all African secondary schools and
institutions for higher education and vocational training which at present are established in "White" areas. In a press statement issued during October 1958(1') the Chief Information Officer said he estimated that between twenty and thirty such institutions existed.

COMMERCIAL ACTIVITY IN THE RESERVES

The Minister of Native Affairs said recently(4) that as at 30 June 1958 there were, operating in the Reserves, 2,166 African general dealers, 781 butchers, 98 bakers, 493 cafés and eating-house keepers, 128 millers, 209 fresh produce dealers, and 2,157 persons engaged in miscellaneous independent commercial activities hawkers, speculators, etc.

(12) Page 144.
(3) Rand Daily Mail, 10 October 1958.
(14) Assembly, 15 September 1958, Hansard 10 col. 3814.

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At the Executive Committee meeting of the Institute of Race Relations, mentioned above, it was pointed out that the African traders were having no easy time. With a few exceptions they could so far not offer as good a service as that provided by White traders. Few of them had sufficient capital, or had an adequate knowledge of book-keeping - they failed to distinguish between capital, income and profits, tended to spend their takings on personal needs, and had to close when their original stock had been sold. For these and other reasons they found difficulty in obtaining credit from wholesalers and manufacturers. Furthermore, they lacked security of tenure of the land on which their stores were established, could, therefore, not obtain mortgages from building societies, and were often hesitant to erect expensive premises that were likely to attract customers. (Except in rural villages, where qualified freehold title is available to Africans, trading sites are granted under quitrent title).

There were some successful ventures in rural areas, however, such as the Zwelitsha Trading Company, which was making impressive progress. It had started with a capital of £5,000, subscribed in £50 shares which only Africans were eligible to buy, each being entitled to only one. There was also a flourishing bus company and an insurance company. Other smaller concerns were making progress as the owners gained experience. (In the large townships in urban areas, for instance those in Johannesburg, there were a number of well-established and progressive trading concerns).

INDUSTRIAL DEVELOPMENT

The proposed development of industries on the borders of the Reserves is dealt with in a later chapter of this Survey.

Apart from minor home industries, the only concern that has been established within the Reserves in recent years is a sawmill and small factory to produce doors, windows, coffins and simple furniture for use by Africans, which is located on the Trust farm Highbury in the Umtata District. The Minister of Forestry said(5) that three Europeans and twelve Africans are employed in this factory.

REMOVAL OF THE MAMATHOLA TRIBE
The prolonged resistance by the ba-Nareng tribe (commonly known as the Mamathola) to Government plans to move them from much eroded land on the slopes of the Wolkeberg Mountains, in the Letaba district of the Northern Transvaal, was described in the previous issue of this Survey(\textsuperscript{15}). It was decided during 1957 that they should go to the farm Metz, about thirty miles to the east, near Tzaneen, where residential, arable and grazing sites were laid out and parts of the land were irrigated. A school and post office were opened there, these facilities at Wolkeberg were closed, and the people were told that pensions would in future be payable only at Metz.

After continued resistance by a majority of the tribe the chief, Malisele Letsoalo, was deposed. A Governor-General's order was served, requiring the tribe to move by 13 January 1958. They contested this in court, asking for it to be declared invalid because it had not been approved by resolution of both Houses of Parliament, as was necessary, in terms of Section five of the Native Administration Act, in cases where a tribe was unwilling to comply with a removal order.

When Chief Letsoalo was deposed, officials visited Wolkeberg to interview his niece Malobe, the chieftainess-apparent, but she hid away from them. The Native Commissioner then temporarily assumed the functions of the chief. The tribe made no effort to obey the Governor-General's order pending the outcome of the court case.

In the Assembly on 31 January 1958 the Minister of Native Affairs moved(\textsuperscript{7}) that the removal order and an Explanatory Memorandum be referred to the Select Committee on Native Affairs. Mrs. V. M. L. Ballinger, M.P., the Leader of the Natives' Representatives, moved that they be referred, instead, to a Commission, which could continue its deliberations during the recess, Parliament being due to rise in a fortnight's time. This amendment to the Minister's motion was negatived(\textsuperscript{16}). A similar amendment moved by the Natives' Representative in the Senate was also outvoted(\textsuperscript{15}).

On 10 February the Select Committee's report was presented in the Assembly, and the Minister of Native Affairs moved(\textsuperscript{9}), in accordance with the findings, that the House should approve of the Governor-General's removal order. The opening United Party speaker, Dr. D. L. Smit, M.P., said(\textsuperscript{2}) that he had himself served on a commission that had recommended the removal of the Mamathola tribe on the grounds that they were damaging the source of the important Letsitele River. Nevertheless he felt very troubled at the rejection by a majority of members of the Select Committee of a motion that leaders of the tribe should be permitted to give evidence. The right of any person whose interests are affected to be heard is a fundamental principle of justice, he said. Members of the Select Committee told the House(\textsuperscript{21}) that the only witnesses had been officials of the Native Affairs Department. They had put up a good case for the removal of the tribe;
but were unable to answer questions as to why the tribe was unwilling to go. It was for this reason that certain members had considered that tribal leaders should be permitted to state their case. But the Select Committee had voted on a party political basis (2), and its proceedings were completed in one day (23).

One of the Natives' Representatives (24) said that the leaders of the tribe had visited Cape Town and had met the Natives' Representatives in both Houses. They were, thus, available to give evidence. He outlined reasons why the tribe was possibly unwilling to move. Officials had admitted that there were a large number of squatters at Metz, but had been unable to say what their numbers were or when they would be removed to make way for the Mamathola. The officials had also said that only 189 of the 400 Mamathola families would be granted land: the rest would be housed in villages. No indication was given of how the latter group would make a living. No evidence was provided as to the condition of the citrus trees owned by the Mamathola at Wolkeberg, and whether the compensation offered, of 10/- per ten-year-old tree, was fair.

Government spokesmen maintained (5) that the channel for consulting Africans was the Native Affairs Department. Parliament was the body which must authorize the final step, namely the execution of the Governor-General's order. It was not a court, nor was it an administrative machine to investigate the whole matter de novo. The Mamathola would be better off at Metz: in exchange for 184 morgen of small, scattered plots they were to be given 328 morgen of land excellent for citrus growing, with a properly planned irrigation system, and with three to four times as large a carrying capacity for stock. The tribe had originally been prepared to go there; but agitators had induced them to change their minds. A debate along similar lines took place in the Senate. The Minister said there (6) that the squatters would be removed from Metz before the Mamathola arrived, and would be placed in employment through the labour bureau. Members of the Mamathola tribe at present without cattle or land would not be granted arable plots or grazing rights in the new area, but would receive title to plots in the rural village there. The Governor-General's order was eventually approved by majority vote in both Houses.

In terms of Government Notice No. 372 of 7 March 1958, Part I read with Part III of Proclamation No. 52 of 1958 (27) were applied to both Wolkeberg and Metz (i.e. the entry of Africans

(17) Hansard 2 cols. 684-5.
(1) Assembly, Hansard 4, col. 1218.
(20) Col. 1220.
(21) Col. 1222.

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(22) Col. 1241.
(23) Col. 1387.
(26) Senate 6 February 1958, Hansard 2 cols. 691-2, 703.
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into these areas became subject to permit, and criticism of the Government within the areas was rendered an offence). Part I of the Proclamation, controlling the exit of Africans, was also applied to the Metz area.

The removal of the Mamathola was effected between 12 and 18 March. Army lorries were provided to transport the families and their possessions, and thatching and poles for new huts were made available at Metz, where a clinic with a maternity section had meanwhile been built.

It was reported in the Press during August that many of the people were unhappy in their new homes and had no means of livelihood. In reply, the Chief Information Officer of the Native Affairs Department said(28) that the conduct of some members of the tribe verged on passive resistance: they were going out of their way to cause trouble. But most of the people were happily settled and working hard on their plots. Any bona fide legal or Press representative would be permitted to visit them.

REMOVAL OF AFRICANS FROM ONVERWACHT, NEAR WEENEN

It has been reported in the Press(9) that the Government expropriated the farm Onverwacht, near Weenen in Natal, proclaiming it as part of the Drakensberg Soil Conservation area. This farm had been occupied by Africans for more than a hundred years. The 241 families living there appealed to the Government, without success, to be granted some other farm.

They were then told that they could remain at Onverwacht if they wished, but would not be permitted to keep cattle or to plough the land. Numbers of them - 142 families in all - agreed to these conditions: either their breadwinners were young men in employment, or they had relatives elsewhere who could help them a little.

But 99 of the families were not prepared to agree. The heads of these families were brought in batches before the magistrate's court, convicted of illegal squatting, and served with eviction orders. In terms of the Prevention of Illegal Squatting Act of 1951(30), persons so convicted may be ordered to demolish their dwellings and to move to such other place as may be determined: the Department is not obliged to re-settle them on Trust land.

It was reported that armed police then proceeded to Onverwacht and burned many of the huts belonging to, the 99 families. They were offered temporary accommodation in tents on a Trust farm near Estcourt, and a ration of mealie-meal and tinned milk, while they sought work: but some of the men were too old to enter employment.

(27) See page 69.


AFRICAN NATIONAL SOIL CONSERVATION ASSOCIATION

EMPLOYMENT

THE GENERAL ECONOMIC SITUATION

South Africa's gross geographical national income for 1956-57 was £1,931-million, which was £134-million, or 7.5 per cent, above the figure for the previous year. In his address at the thirty-eighth ordinary general meeting of stockholders, during August 1958(1), the Governor of the S.A. Reserve Bank said that, after making due allowances for increases in the retail price index and in the population, it would appear that the real geographical income per head of the population rose by about 31 per cent in 1956-57, as compared with an increase of about 3 per cent in 1955-56. As far as the year ended June 1958 was concerned, the available information seemed to indicate a reduction in the rate of growth. Despite the adverse effects of the economic recession in the United States and certain other parts of the world, he continued, there had thus far been no actual decline in the total volume of economic activity in the Union, but merely a decline in its rate of growth. In recent months, however, there had been signs of a more marked slowing down and of a levelling off or actual decline in some branches of the economy.

MANPOWER

In the same speech, the Governor of the Reserve Bank said that although there was evidence of an increase in unemployment and in short-time working in some industries, there were as yet no signs of any employment problem. There still appeared to be a shortage of labour in some industries, such as the gold mining industry, and of skilled labour generally.

The Minister of Labour announced in the Senate during September(2) that he had instructed his Department to ascertain the scope of the total manpower of the Union, and the shortages in each calling. This information was now available and would shortly be made public. The figures showed that the shortage of White workers in the country as a whole was not such that it had a dislocating effect on the economy.

The unemployment figure, the Minister continued, was higher than for the previous year. In August 1958 the number of unemployed Whites was only 0.8 per cent of the total number of all Whites in employment, many of those out of work being in the upper age groups. The number of unemployed Coloured and Asian workers was 4.6 per cent of the total number of

(1) Star, 20 August 1958.
(2) Senate, 24 September 1958, Hansard 7 cols. 1922-5.
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persons of these racial groups in employment: this was a very high percentage. A proportion of up to 2 per cent was accepted internationally as indicating full employment.
Had the Government encouraged immigration, the Minister said, the unemployment position would have been worse. (According to the official Bulletin of Statistics for September 1958, there were 14,615 White immigrants and 10,943 White emigrants during 1957). The Minister's views on immigration were not shared by the Commission of Enquiry into Policy Relating to the Protection of Industries, which, in its recently issued report(1), called for a positive and effective policy for the immigration of skilled workers, with the appropriate financial assistance of the State.

In the speech quoted above, the Minister of Labour announced that his Department was engaged in a survey of the vocational selections of White school-leaving youths, which would make possible deductions as to the annual White labour potential.

INFLUX CONTROL AND THE SUPPLY OF AFRICAN LABOUR
Except for those returning to a previous employer within twelve months, all African labour must now be obtained through labour bureaux. Local (municipal) bureaux deal with Africans already legally in the area, including those who become unemployed.

New regulations have recently been introduced by the municipal authority in Johannesburg. Africans are no longer given general work-seeking permits, but must report to the bureau within three days of their discharge from a job, and then go into the pool of unemployed. Employers must register a vacancy within three days of its occurrence, and are sent the applicant for the type of work concerned who happens to be at the top of the waiting list. Both employers and work-seekers are entitled to refuse to enter into a contract of service; but although the latter are entitled to return to the bureau and request that another post be found for them, Africans are afraid of doing this more than perhaps a couple of times. Their freedom of choice has, thus, been still further curtailed.

The Acting Manager of the Johannesburg Non-European Affairs Department said(4) that this new arrangement was necessary, firstly, because employers had been lax in notifying vacancies, which made it difficult for the demand for labour to be assessed; and secondly, because Africans who were not bona fide work-seekers were roaming the streets on nefarious activities.

The district, regional and central labour bureaux are under Government control. Africans who are surplus to labour requirements in any town, and do not qualify to remain there permanently, are referred to the district bureaux. Conversely, local authorities that need additional labour apply to the district bureaux.

(3) U.G. 36/1958.

A SURVEY OF RACE
In an address given during March 1958 to the Johannesburg Chamber of Commerce, the Secretary for Native Affairs said(1) that it was the function of district bureaux to distribute labour to farms and to rural industries as well as to towns in their areas, and to ensure that there was an adequate supply of manpower for the less popular categories of labour.
During the early months of 1958 industrial and commercial employers on the Reef complained of an acute shortage of labour, particularly in the unskilled categories. In the speech quoted above, the Secretary for Native Affairs said that, according to Departmental records, a total of 221,000 African workers was required in the Johannesburg area at any one time. The vacancies reported unfilled as at 28 February 1958 numbered 2,030 - less than one per cent of the full labour complement. The shortage had been exaggerated, he said. "There is", he continued, "at present not enough, or barely enough, labour in the Union to meet all requirements, taking into account the diehard tendency to employ more hands than is strictly necessary. It is, therefore, absolutely imperative to make full use of any potential labour available at any given centre that would not be transferable elsewhere ... Our policy aims at the fullest use of locally domiciled labour".

The Secretary appealed to employers to use the services of African juveniles, and to mechanize where possible to conserve labour. He concluded by saying that the industries in the European areas should more and more become those that were highly mechanized or used mainly White and Coloured labour.

The effect of influx control was discussed by the Commission of Enquiry into Policy Relating to the Protection of Industries, which stated in its report(1), "The system reduces the scope of employers to select suitable employees. The recruits sent by the local bureaux frequently do not possess the physical or mental aptitudes necessary for the work they have to perform. There is still too great a tendency on the part of the authorities, in the words of the Secretary for Native Affairs, to regard 'the Native as an interchangeable unit of a large, undifferentiated mass of individuals', an attitude that may pass muster in the selection of labourers for purely manual work, but which is not suitable for industry where aptitude and dexterity are becoming increasingly important in the selection of employees.

"The result of the fact that employers have to employ such labour as is sent to them by the local labour bureaux, it is alleged, is to aggravate the already high labour turnover, with a consequent decrease in labour productivity, an increase in labour cost, and ill effects on the efficiency of industry". (5) Bantu, May 1958.

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TURNOVER OF AFRICAN LABOUR

A preliminary study of the turnover of African labour, and of the structure of the labour force in the Cape Peninsula, has been made by the Department of Economics of the University of Cape Town. In an article summarizing the results(7), Dr. Sheila T. van der Horst said that during 1954 the average turnover of African labour in a representative sample of 212 employers was 142 per cent. In other words, the number of replacements was almost one-and-a-half times the total number employed. On further analysing this figure, it was found that the turnover was 139 per cent in regular work, and 191 per cent in irregular or seasonal work.
The range of the turnover was very great, varying from 0 to over 1,000; but over 60 per cent of the employers, employing over 60 per cent of the labour force, had a labour turnover of 100 per cent or more.

The National Institute for Personnel Research recently completed a preliminary study of the African labour force employed by the Johannesburg City Council. It was found that nearly 11,300 Africans had been leaving the Council's employ annually out of a total of some 19,000, and that a 100 per cent turnover of labour took place in less than 21 months. Many of those discharged were shortly afterwards re-employed in some other municipal department.

EMPLOYMENT OF AFRICAN JUVENILES

The extent of unemployment amongst African juveniles in the larger towns continues to be perturbing. The Non-European Affairs Committee of the S.A. Federated Chamber of Industries(7) and other bodies, including the Institute of Race Relations, have urged the establishment of Youth Boards, or of juvenile sections within the labour bureaux. The Institute has also advocated the creation of special sections within these bureaux to cater for educated Africans with the Junior Certificate or higher qualifications. Its Natal office, in particular, has encountered much frustration amongst both Indian and African youths because of the lack of suitable employment opportunities.

These proposals were endorsed by the Johannesburg Riots Commission(9). It advocated the resuscitation of the local Native Youth Board, the establishment of Labour Battalions or Youth Training Brigades, the provision of vocational training for youths between the ages of 14 and 18, and closer collaboration between the labour bureaux and employers with a view to the application of aptitude tests and the use of field officers to follow up placements.

(8) Press statement, Star, 6 November 1957.
(0) Pages 59-60 of report.

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It suggested the convening of a conference between municipal officials and representatives of the Native Affairs Department and of commerce and industry to discuss these matters. These recommendations were welcomed in a press statement made by the Institute of Race Relations (Southern Transvaal RegionX°).

During September 1958 the Minister of Native Affairs said in Parliament(1) that there were between 30,000 and 50,000 unemployed youths in Johannesburg.

At a meeting held on 29 July 1958, the Johannesburg City Council agreed in principle to the creation of a Youth Employment Section of the existing Registration and Employment Branch of the Non-European Affairs Department, to cater for male African juveniles. It also agreed to the Manager discussing the re-arrangement of this Section with the Chambers of Commerce and Industry and with employing agencies operating in the city, with a view to obtaining their
support. It is intended that trained social workers, to be employed by the Youth Employment Section, should get into touch with African lads during their last years at school, and should help them to choose careers.

The Association of Vereeniging and District Industries is drawing up a training scheme for African youths in the 15 to 19 age group, which will be discussed with representatives of the Departments of Labour and Native Affairs. A committee consisting of the local Native Commissioner and representatives of industry, commerce and the local Non-European Affair's Department is being formed to put the scheme into effect(2). THE WAGES OF AFRICANS

General

The investigations made by an Inter-Departmental Committee which between 1951 and 1956 examined various aspects of African taxation are mentioned on page 85. In brief, the Committee found that, of the African men who paid poll tax (excluding those in the Reserves) no less than 1,107,730, or 50.6 per cent, had incomes of under £50 a year (the value of income in kind is not included). Of the rest, 9.6 per cent had between £51 and £60 per annum, and 1.0 per cent between £61 and £70. Only 2.0 per cent had incomes of more than £180 a year.

In articles contributed to the Star(13), Dr. Ellen Hellmann listed the monthly minimum wages (including cost-of-living allowances) payable to unskilled workers in 1954 and 1958 in five industries which are among the largest employing industries in Johannesburg (excluding mining):

<table>
<thead>
<tr>
<th>Occupation</th>
<th>1954</th>
<th>1958</th>
<th>Increase %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Distributive</td>
<td>£12 12 5 10 6</td>
<td>£12 12 11 8</td>
<td>9.5</td>
</tr>
<tr>
<td>Municipal undertakings</td>
<td>11 13 6 11 942</td>
<td>14 10 11 2</td>
<td>8.3</td>
</tr>
<tr>
<td>Building</td>
<td>11 15 11 8</td>
<td>11 12 5 12 7</td>
<td></td>
</tr>
<tr>
<td>Engineering</td>
<td>11</td>
<td>12 11 8 14</td>
<td></td>
</tr>
<tr>
<td>Motor</td>
<td>10</td>
<td>12 5 12 7</td>
<td></td>
</tr>
</tbody>
</table>

Average for five occupations

1954: £12 12 5 10 6 11 13 6 11 942 11 15 1 11 8 11
1958: £12 12 11 8 14 10 11 2 12 5 12 7

Increase %

Nil 9.5 8.2
20.9
4.6 8.3

Dr. Hellmann wrote, "According to the Index of Retail Prices (an index acknowledged to be unsatisfactory and in the process of revision, but yet the only measure apart from our own knowledge of the shrinkage in the value of the £) there has been a rise from 195.9 in 1954 to 218.5 in May 1958, which is 11.5 per cent. In other words, the increase in the average of these unskilled wages has not..."
even kept up with the increase in this most minimal of all measures, the Retail Price Index”.

She pointed out that some industries (e.g. leather and furniture) did pay wages far in excess of the figures mentioned above, and that other industries, such as the chemical, as also the iron, steel and engineering, had established a variety of categories of work rising to the semi-skilled. There were no figures which showed wage distribution in Johannesburg.

The distribution of wages paid in Cape Town by a representative sample of 212 employers was investigated by the Department of Economics of the University of Cape Town. In the article referred to above, Dr. Sheila T. van der Horst said that the percentage of African employees in the different wage groups varied considerably between the different industrial groups. Oil companies, factories, garages, builders and bakeries were the most important groups paying wages above the average. The distribution of cash wages paid to Africans was:

<table>
<thead>
<tr>
<th>Cash wages paid per week</th>
<th>Number of employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under £2 per week</td>
<td>303</td>
</tr>
<tr>
<td>£2 and under £3</td>
<td>2,099</td>
</tr>
<tr>
<td>£3 and over</td>
<td>1,448</td>
</tr>
<tr>
<td>£4 and over</td>
<td>976</td>
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<tr>
<td>£5 and over</td>
<td>148</td>
</tr>
<tr>
<td>£6 and over</td>
<td>118</td>
</tr>
<tr>
<td>£7 and over</td>
<td>57</td>
</tr>
<tr>
<td>£8 and over</td>
<td>5,149</td>
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</table>

<table>
<thead>
<tr>
<th>Percentage</th>
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<tr>
<td>6</td>
</tr>
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<td>41</td>
</tr>
<tr>
<td>28</td>
</tr>
<tr>
<td>19</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>100</td>
</tr>
</tbody>
</table>

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In a paper recently read at a meeting convened by the Institute of Race Relations in Durban(4), Professor O. P. F. Horwood quoted figures showing the monthly minimum cash wages (including cost-of-living allowances) payable to certain African workers in that city:

Durban Corporation: unskilled workers
99 Police constables
General unskilled workers Watch patrolmen
Watch patrol indunas
Wholesale, commercial and distributive
He pointed out that a number of employees were paid more than the legal rates, or worked overtime, or received other allowances of one kind or another; but said it could reasonably be inferred from his investigations that something like two-thirds of the African workers in Durban received cash wages of less than £15 a month.

Unskilled municipal employees in Reef towns and Pretoria

Wage Determination No. 105 of 1942 (which is now being revised) laid down the minimum wages payable to unskilled African workers on the Reef and in Pretoria whose wages are not governed by any other determination, agreement or award. It did not cover employees in mining or domestic service or those employed by the State.

According to figures given at a recent sitting of the Wage Board, Krugersdorp, Pretoria, Pretoria North and Springs pay their workers this minimum decided upon in 1942, which, including cost-of-living allowance, is £1 19s. 9d. a week. Wages paid by other local authorities are:

- Nigel and Randfontein ................ £1 19 10
- Alberton .............................. £2 2 3
- Silverton .............................. £2 2 6
- Roodepoort-Maraisburg ............ £2 2 9
- Peri-Urban Areas Health Board .... £2 7 9
- Kempton Park, Boksburg and Vanderbijl Park £. 2 8 9 Germiston and Benoni ................. £2 10 0
- Johannesburg .................... £2 12 9
- Vereeniging ......................... £2 14 3


RELATIONS: 1957-58

Manufacturing industry

The Minister of the Interior said in the Assembly during February(5) that the estimated annual salaries and wages paid in the manufacturing industry in 1957 were £820 to Whites, £260 to Coloured and Asian employees, and £156 to Africans.

THE COST OF LIVING

The weighted average index of retail prices for the nine principal urban areas was 219.0 in June 1958(1") (1938 = 100). The index for clothing was 295.3, and that for food 258.5.

The Department of Census and Statistics has undertaken a family expenditure survey in ten urban areas, covering about 2,000 White householders. It calculated that the average income of White families in the Union is £115 a month. A new
consumer price index is to be introduced, based on a new weighting system established through this survey.
The Institute of Race Relations is bringing up to date its surveys of the cost-of-living for Africans in Johannesburg.

WAGE BOARD INVESTIGATIONS
The Wage Board has been directed to draft new determinations for:
- Unskilled labour- Witwatersrand and Pretoria.
- Bloemfontein, East London, Pietermaritzburg,
- Kimberley and Durban.
- Cape Town.
- Laundry, Cleaning and Dyeing trade-Principal towns.
- Bread and Confectionery industry -Witwatersrand and Pietermaritzburg.
- Stevedoring trade-Four main ports.
- Funeral undertakings - The Union.
- Clothing industry- Transvaal and uncontrolled areas.
- Meat trade - Cape Town, Port Elizabeth, Durban, Pietermaritzburg, Bloemfontein and Kimberley.
- Watch patrol services - East London, Cape Town, Witwatersrand, Pretoria and Port Elizabeth.
The Board held sittings in Johannesburg during August 1958 in connection with the proposed new determination for unskilled labour. The following were among the minimum wage levels

A SURVEY OF RACE
(including cost-of-living allowance) that were suggested by those who gave evidence:
- Council of Reef Municipalities ...... £2 7 0 per week
- Peri-Urban Areas Health Board ...... £2 11 9
- Johannesburg Chamber of Commerce ...£3 2 6
- Rising, after four years’ uninterrupted service, to £3 10s. Gd. and later to £4,
- Pretoria employees ............. £3 5 9 to £3 12 3 per week
- Benoni municipality ............ £3 9 0 per week
- S.A. Trade Union Council ........ £5 7 0
- S.A. Congress of Trade Unions ...... £1 per day
It was suggested by the Council of Reef Municipalities that, in the discretion of the local authorities, higher grades should be introduced for the more experienced workers.
The Benoni Municipality submitted a comprehensive memorandum containing recommendations by its Senior Welfare Officer, made on the basis of a survey conducted at Daveyton Township. This official considered that a family of five (including two preschool children) living at Daveyton required £16 14s. 9d. a month to cover essential requirements on an absolute minimum basis. No allowance was made for transport, for example, as a worker with so low an income would have to cycle to work (about ten miles each way) instead of using
the bus or train service. The average amount needed by a family to live rather than merely to exist was £24 a month.

The Institute of Race Relations submitted copies of its memorandum entitled African Poverty(7), and pointed out that, according to its calculations, the poverty datum line for a family of five in Johannesburg in 1954 was £23 10s. 4d. Since then, costs had risen. On this basis, about 87 per cent of the African families in Johannesburg were living below the breadline. The Institute stated that it would be to everyone's advantage if adequate wages were paid, enabling workers to live at least at minimum accepted standards of health and decency, and if the workers were trained to become more productive.

ASSOCIATION FOR THE IMPROVEMENT OF WAGES AND PRODUCTIVITY OF BANTU WORKERS

During July 1958 influential leaders of commerce and industry in Johannesburg formed an Association for the Improvement of Wages and Productivity of Bantu Workers. A management committee was set up, and also a Council of 26 leading businessmen serving in their personal capacities under the chairmanship of (17) RR 67/1957. See Survey, 1956-57, page 166.

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Mr. Harry Goldberg, past president of the Association of Chambers of Commerce. Individual persons and firms were invited to become members.

The Association issued a statement(8) in which it said the feeling was growing among employers that they should no longer accept the fact that many of their African workers received a wage lower than that needed to maintain themselves and their families, in return for work done on an extremely low level of efficiency and productivity. Better management and a more constructive approach to his task by the worker could achieve considerable improvements in output, even without mechanical aids.

The Association emphasized that all improvements must be made on sound business principles. It did not believe that sudden large wage increases would be economically possible. But it considered that some realistic upward move in African earnings, coupled with improved productivity, should start immediately and should continue as a steady process.

ACTION BY MEMBERS OF THE ASSOCIATED CHAMBERS OF COMMERCE

At its congress held in Margate during October 1958, the Associated Chambers of Commerce passed a resolution asking that in the national interest there should be an early increase in wages for Non-European unskilled workers. This, congress believed, would bring about increased productivity and a better use of labour resources.

It was reported(“) that the chairman of the Afrikaanse Handelsinstituut told the congress that its resolutions were strikingly similar to motions passed recently by his organization.

During the following week(“) it was announced that the wages of African employees in all branches within the Union of the O.K. Bazaars chain were to be raised by amounts of 5s. a week for workers with less than a year's service to 10s.
a week for those with longer service. A number of smaller companies also
decided to increase the wages of African employees.

RESERVATION OF WORK IN THE CLOTHING INDUSTRY

The determination gazetted on 25 October 1957

It was mentioned in the previous issue of this Survey(1) that the Minister of
Labour gazetted a determination suggested in a majority report by the Industrial
Tribunal, to the effect that as from 4 November 1957 the work of machinists,
supervisors, cutters or choppers-out, and table-hands in the clothing industry
(9) Star, 24 October 1958.
(20) Star, 28 October 1958.
(21) Page 153 et seq.

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should be reserved for White workers unless exemptions were granted. There
were about 40,000 employees in these categories of work, of whom only 4,500
were White.

In terms of the Industrial Conciliation Act of 1956, no determination dealing with
the reservation of work is binding in an area where an industrial council
agreement is in operation unless the industrial council concerned agrees. All the
industrial councils in the clothing trade intimated that they were opposed to this
determination; and the Minister then announced that the divisional inspectors of
labour in all areas not covered by agreements had been instructed to grant
unconditional exemptions.

A deputation from the S.A. Federated Chambers of Industries met the Minister of
Labour on 11 November, and afterwards reported(22) that the Minister had said
that the principle of job reservation had been embodied by Parliament in the law
and must, therefore, remain. But total reservation, as applied in the clothing
industry, would not be the pattern for future determinations in other industries.
Parliament would be asked to amend Section 77 of the Industrial Conciliation
Act(3) to permit of reservations being made on a percentage or other basis. The
Minister could not withdraw the determination in respect of the clothing industry,
but gave the assurance that no unemployment would result from its
implementation, nor would the industry suffer in any way.

Early in 1958 the Garment Workers' Union of the Cape Peninsula applied to the
Supreme Court, Cape Town, for an order setting aside the tribunal's
recommendations for job reservation in the clothing industry, and the Minister's
determination. This application was granted, with costs. The Union claimed(4)
that the exclusive reservation of certain occupations for Whites was not only
grossly unfair to the Non-Whites employed in these categories of work, but would
cause chaos in the industry. The tribunal had recognised this, and had, in
consequence, recommended to the Minister that wide exemptions should be
granted. This had been done; but the effect was that the Non-White workers
concerned had been relegated to the status of employees by sufferance, whose
employment could at any time be terminated by the Minister's withdrawal of the
exemptions.
The presiding judge said ("), inter alia, that the result achieved by the determination had been something quite different from a reservation of work which would give security to NonWhite as well as White employees. He was satisfied that a suitable formula could be constructed which would have the effect of maintaining the status quo in the industry.

(22) The Manufacturer, December 1957.

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In effect, then, the judge ruled that it was possible, in terms of the existing Act, to introduce job reservation on a percentage basis. In this respect the judgment was at variance with one given later in the Supreme Court, Pretoria. During September 1958 Mrs. F. Jones, a Coloured woman of Johannesburg who had been employed as a machinist for 17 years, applied to the Supreme Court, Pretoria, for an order setting aside the determination and the recommendations of the tribunal. Her application, too, was granted with costs. In her petition she said that there had been an industrial council agreement for the clothing industry in the Transvaal, and as long as it was in force the determination did not operate in that province. But the agreement had expired, and she had become liable to prosecution if she continued in her employment. In his replying affidavit the Minister of Labour said, inter alia, that in cases where agreements were not extended on their expiry, he proposed giving effect to the tribunal's recommendation by granting exemption in so far as it might be necessary to maintain the existing number of Whites in the various factories in the Union. The judge said that the tribunal's dilemma had been that it wanted to preserve the existing ratio between White and NonWhite machinists, or, alternatively, the existing number of White workers in that category, but that, in terms of the law, the only remedy on hand was the drastic step of excluding all Non-Whites from this type of employment. It had aimed at one objective and had recommended something quite different.

Draft Bill to amend the Industrial Conciliation Act
A draft Bill to amend the Industrial Conciliation Act has been drawn up and circulated to employers' organizations and trade unions. It is understood that, in terms of the Bill, the Minister of Labour would be given very wide powers, in consultation with the Minister of Economic Affairs, to make such determinations as he deemed expedient. He would not be bound by the tribunal's report, and would be able to override the wishes of an industrial council, even during the currency of an agreement. He would be empowered to reserve occupations for members of a particular race either wholly, or to the extent set out in the determination; and would not be limited in any way by the numbers of persons of the various racial groups who were employed or available for employment in the occupation concerned. Further clauses of the draft Bill, relating to trade unions, are described below.

The establishment of clothing factories in uncontrolled areas
During the period under review several clothing manufacturers from the Rand and the Cape moved their establishments to areas in which no industrial council agreements were in operation, for example Charlestown, Dannhauser, and the Ladysmith area in northern Natal, Hammersdale between Durban and Pietermaritzburg, Parys and Villiers in the Free State, and George in the Cape. Africans were engaged for training as machinists and in other occupations that, in terms of the determination, had been reserved for Whites. Because these areas were not covered by industrial council agreements, employers could pay what wages they liked; and, in general, these were one-third or less of the amounts payable in controlled areas, and the hours of work were longer.

The new factories were soon turning out the cheaper types of suits, sports jackets, trousers, shirts, khaki shorts, overalls, dresses and men's underwear. Representatives of the Garment Workers' Union who visited the establishments said that they were also making blazers for the police and for certain schools. These industries certainly brought benefits in the areas concerned, where African employees earned better wages than had ever before been obtainable locally; but they undercut the prices of clothing produced in the controlled areas. The Industrial Councils in the Transvaal and in Natal urged the Minister to extend their agreements to cover the uncontrolled areas; but he was not willing to do this. He said, in a Press statement(6), that the number of garment workers employed in these areas was only four per cent of the total number in the industry as a whole. The factories that had moved had previously used almost entirely Non-White labour, thus no White persons had lost their jobs as a result. They were producing clothing that was intended for the NonWhite market. The better class of clothing would always be manufactured in the larger centres, where more highly skilled workers were available. White workers pointed out, however, that the proficiency of the African workers was likely to improve rapidly, and, further, that goods were manufactured for the open market: no one could dictate who the purchasers should be.

During April 1958 the Chairman of the National Co-ordinating Council for the Clothing Industry said(7), in reply to the Minister's statement, that three factories in the Cape had already had to close as a result of competition from the cheap labour factories, and others had been forced to cease the production of certain lower grade articles of clothing. By July a general slackness had developed in the industry in the controlled areas: the National Organiser of the Garment Workers' Union in the Transvaal announced(28) that in that province alone 4,276

(26) Argus, 1 April 1958.
(27) Argus, 2 April 1958.
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workers had been placed on short time. It was pointed out that, while the
Government wished to reserve certain jobs for Whites, the effect of its policy was
that these jobs seemed likely to disappear.
The Minister of Labour said in the Assembly on 8 September 1958,(")
"In respect
of the competition that is now emerging from clothing factories in the
uncontrolled areas of Natal . . . in the first place it (the Government) wishes to
draw attention to the fact that it is the essence of the system of private enterprise
that it must be conducted on a competitive basis. It is the policy of the
Government to ensure that this competition will be fair and equitable on the basis
of all the locational advantages and disadvantages of the different centres of
production. . . . I have instructed the Wage Board to investigate the clothing
industry to recommend equitable conditions of employment in the hitherto
uncontrolled areas."
The Wage Board commenced this investigation during July. The trade unions in
the clothing industry urged that a uniform minimum wage be introduced
throughout the country(30).
GOVERNMENT POLICY IN REGARD TO THE ESTABLISHMENT
OF INDUSTRIES ON THE BORDERS OF THE RESERVES
In the speech mentioned above, the Minister of Labour said, "It is the declared
policy of the Government to encourage the greater decentralization of industry. At
present, no fewer than 76 per cent of all the workers in secondary industry are
employed, and no less than 82 per cent of the manufactured goods are produced,
in the four main industrial centres of the Union. This represents an undue degree
of industrial concentration in a country where the massing of large numbers of
Native workers in our largest urban areas incurs a very heavy social and economic
cost, not only to the country as a whole, but also to the workers themselves.
"The intention is merely that all industries which use large numbers of Natives, no
matter where they are situated, should rather not be established in the White areas
in the interior, where large amounts have to be spent on housing, etc., and where
migrant labour and the splitting up of families often result, but should be
established near the Reserves so that the Bantu workers which are required . . .
can live as family units in their own areas, in their own towns, with their own
services, and under their own control, and consequently at reduced expense.
"Consequently their wages can be lower and this difference is counteracted by
other costs, such as transport, being higher,
121) Hansard 9 cols. 3325-6.
as a result of which competition remains on an equal footing.... However, the
White workers remain in these industries and their work can and should be
reserved. . .
"In the second place, the Government wishes to re-affirm its policy of reasonable
protection to all workers, and especially European employees, in the established
centres of production. . . . The Government wishes to influence decentralization of
industry in such a way that industries established near the Reserves will, as far as
possible, supplement those in the older manufacturing centres. A committee
appointed by the Minister of Native Affairs is at present investigating the locational possibilities of the areas near the Reserves and the industries that can best be attracted to these areas ...

"It is, finally, the intention of the Government to establish, within the near future, an Economic Advisory Council that will advise it in regard to both general economic co-ordination and physical planning. The council will advise the Government how best to ensure that the resources of the Union are developed with due regard to the interests of all areas and of the country as a whole".

Mrs. Helen Suzman, M.P., a United Party member who is an economist, said,(1) "The entrepreneur is the best man to decide where it is in his economic interest, and, therefore, in the long run in the economic interest of the country, to site his industry. . . . The only way in which the White worker in this country can be protected is by the 'rate for the job', by full utilization of all our resources, and, most important of all, the building up of a larger internal market for all our products in South Africa, and that can only be done by utilizing our entire labour resources, be they Black, Coloured or White. . . . At this very juncture when we should be expanding our economy as far as possible, we have the Hon. the Minister of Labour coming along and putting a greater clamp on the industrialization of the country and on the expansion of our labour potential." At the Executive Committee meeting of the Institute of Race Relations in July 1958, Professor D. Hobart Houghton said he considered that the decision to site industries in the peri-Reserve areas instead of within the Reserves was disastrous. The economic colour bar would remain, preventing Africans from progressing beyond a certain level. The evils of the migratory labour system would not be overcome, since it made little difference whether labour migrated a short or a long distance. It was unlikely that many factories near the Reserves would be within easy cycling range of villages within these areas: weekend commuting might be possible, but this would not be a very great improvement on the existing system.

(31) 9 September, Hansard 9 cols. 3334-7.

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FURTHER "WORK RESERVATION" ENQUIRIES AND DETERMINATIONS

During May 1958 the Minister gazetted a determination, which had been recommended by the Industrial Tribunal, reserving for Whites only, for a period of five years, the work of driving motor transport vehicles in the Durban Municipal cleansing undertaking (i.e. vehicles that cart rubbish, refuse and nightsoil).

Later, in August, fifteen categories of work in the section of the iron, steel, engineering and metallurgical industry concerned with the manufacture of window and door metal surrounds, "cliscoe" windows and air-tight louvres were reserved for Whites as from 1 November. The Minister of Labour said(") that 25 establishments were involved, 18 of them in the Transvaal, three in the Cape and two in Natal. The tribunal's report did not indicate how many Non-Whites would
be displaced: precise figures were unobtainable because the work concerned was only part of one section of an industry. But some factories employed Non-Whites to do work that was performed by Whites in other establishments. The industrial agreement for the industry was due to expire on 31 October: should it be renewed, the determination would come into force only if the industrial council was agreeable.

The tribunal has recommended that the work of ambulance drivers and attendants, firemen, and traffic policemen above the rank of constable in the service of the Cape Town City Council be reserved for Whites. It recommended, also, that no further Coloured traffic constables be employed; that those already in the service be transferred to Non-White areas; and that as these men left the service they be replaced by Whites. At a meeting held on 24 October 1958 the Cape Town City Council decided to urge that no limit be placed on the number of Coloured traffic constables as long as these were progressively transferred to Non-White group areas; and that their power to arrest White offenders, removed as from 1 July, be restored(3). The Minister agreed to meet a deputation from the City Council before gazetting any determination.

A further recommendation made by the tribunal was that 84 per cent of the work of drivers and conductors in the road passenger transport services in the magisterial districts of the Cape, Wynberg, Simonstown and Bellville be reserved for Whites, the remaining 16 per cent to be reserved for Non-Whites. No determination was made pending a decision as to the legality of the reservation of work on a percentage basis.


Further industries or occupations that have been referred to the tribunal for investigation are:

(a) the section of the iron, steel, engineering and metallurgical industries in South Africa concerned with the manufacture of refrigerators, electric stoves, electric geysers, hollowware and metal kitchen furniture;

(b) the work of passenger lift attendants in certain undertakings, industries, trades and occupations in the municipal areas of Johannesburg, Pretoria and Bloemfontein;

(c) the tea, coffee and chicory industry in the municipal area of Pretoria;

(d) the work of drivers and conductors in Non-White passenger transportation vehicles in the municipal area of Johannesburg;

(e) the building industry in the Transvaal and Orange Free State(4).

In a majority report, the Commission of Enquiry into the Policy Relating to the Protection of Industries(“) said, "Work reservation may become necessary to preserve complementary rather than competitive conditions between the various groups. . . . The Union's economy is a highly dynamic and not a static entity, and .. the application of the policy will, therefore, have to be on a pliable basis . . . a
proportional basis—a proportion that can be adapted during the course of time to the supply position of the employees of the different racial groups”. Three of the eight members of the Commission dissociated themselves from these views.

THE EFFECT OF THE INDUSTRIAL CONCILIATION ACT OF 1956 ON TRADE UNIONS

Re-Alignment of Trade Unions

It was mentioned in previous issues of this Survey(”°) that numbers of trade unions objected to the sections of the Industrial Conciliation Act of 1956 which provided for the reservation of work on a racial basis, and the splitting of "mixed" trade unions into separate White and Coloured (including Asian) branches, or separate unions. Other unions were in favour of these provisions. Their varying attitudes led to a complete re-alignment of the trade unions.

Until 1947 the S.A. Trades and Labour Council was the only national co-ordinating body, although a number of trade unions had not affiliated to it, and the Western Province of the

(34) Minister of Labour, Assembly, 5 and 16 September 1958, Hansard 8 cols. 2995-7;
Hansard 10 col. 3865.
(35) U.G. 36/1958, para 266.
(36) e.g. 1955-56 page 182.
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Cape had a Federation of Labour Unions in addition to a branch of the Trades and Labour Council. This Council accepted the affiliation of uni-racial, "mixed" White and Coloured, Coloured and also unregistered African unions. Its policy in regard to Non-White affiliated membership led to much controversy. Eventually, in 1947, certain unions broke away and established the Ko-Ordinerende Raad van S.A. Vakverenigings (Co-Ordinating Council of S.A. Trade Unions), which did not accept affiliation from any union in which NonWhites had voting power. Later, in 1952, a further group of unions hived off and established the S.A. Federation of Trade Unions, which debarred African unions from affiliation, although it accepted "mixed" unions.

The Transvaal Council of Non-European Trade Unions had been set up earlier. It gradually extended its activities to other provinces besides the Transvaal, and was the co-ordinating body for many of the African unions.

When the terms of the new Industrial Conciliation Bill became known, the unions that were opposed to the provisions mentioned above decided that greater solidarity was necessary, and in 1954 they formed the S.A. Trade Union Council. In order to obtain the broadest unity possible, it was decided to confine membership to registered unions only (thus excluding African unions). Both the S.A. Trades and Labour Council and the Western Province Federation of Labour Unions then voted themselves out of existence, advising constituent unions (all of which did not do so) to affiliate to the new Council. Almost one-half of the
member-unions of the S.A. Federation of Trade Unions broke away to join the new body. Of the member-unions of the S.A. Trades and Labour Council, 14 dissociated themselves from the decision that membership of the new body should be open to registered unions only. Of these, 13 met member-unions of the Transvaal Council of Non-European Trade Unions and formed another new organization, the S.A. Congress of Trade Unions, which afforded equal rights to registered and to African unions. Only 15 of some 33 African unions had joined this body at the time of writing. There were two large workers’ organizations that had never affiliated en masse to any of the co-ordinating bodies: these were the Federal Consultative Council of the S.A. Railways and Harbours Staff Associations, and the Federal Consultative Council of the Public Servants’ Associations. Considerable numbers of other individual unions had also not joined any co-ordinating body.

Then, towards the end of 1957, there were fresh developments. The S.A. Federation of Trade Unions, the Ko-Ordinerende Raad, the S.A. Trade Union Council and the Federal Consultative Council of the S.A.R. and H. Staff Associations jointly formed a S.A. Confederation of Labour, mainly in order to eliminate rivalry in dealing with the Government regarding the appointment of trade union representatives to public bodies and the selection of workers' delegates to the International Labour Organization. The Trade Union Council(7) joined the Confederation on a decision of its National Executive Council, which was subject to ratification by the annual conference. At the annual conference held in March 1958 it was resolved that membership should be continued only if certain safeguards could be secured. One was that on matters of vital principle the Confederation should act only upon unanimous decisions of the four affiliated federations. The reason for this was that, whereas the other three bodies supported the controversial principles of the 1956 Industrial Conciliation Act, the Trade Union Council did not. It was unwilling to risk the possibility of being committed to majority decisions on these matters. But the three other federations declared that membership should be unconditional. At a conference held during September 1958, the Trade Union Council then decided to break away from the Confederation. A clear-cut split in the trade union organization has resulted.

In view of the threat to their livelihoods contained in Section 77 of the new Act (dealing with reservation of work), delegates from 23 Coloured trade unions, representative of some 15,000 workers, decided towards the end of 1957 to form a S.A. Federation of Non-European Workers, which would attempt to protect the interests of members. The alignment of the trade unions at the time of writing was:

<table>
<thead>
<tr>
<th>Organization</th>
<th>Nature</th>
<th>Affiliated Individual</th>
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<tr>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
S.A. Federation of Trade Mainly White but some Unions ............ Coloured members ... 12 60,000
Co-Ordinating Council of S.A. .... 13 16,000
Trade Unions ... .... White ... ... ....
Federal Consultative Council of
S.A.R. and H. Staff Associa- White ............ 7 77,000
tions ... .... .... ...
32 153,000
S.A. Trade Union Council ... White and Coloured 47 150,000 plus S.A.
Congress of Trade Unions White, Coloured, African 29 41,000 108 344,000
plus
(37) Information from an article by Mr. A. Hepple, published in the Sunday
Times, 21
Sep embcr 1958.

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Besides these, there is the S.A. Federation of Non-European Workers,
membership of which probably overlaps to some extent with that of the S.A.
Congress of Trade Unions, and about 80 unions that are not accounted for above,
most of which have not affiliated to any of the bodies mentioned.
Splitting of Trade Unions as a result of the new provisions of the
Industrial Conciliation Act
The Industrial Conciliation Act of 1956 provided that no further "mixed" trade
unions (with both White and Coloured membership) would be registered; and that
after 7 May 1958 any remaining mixed unions must organize separate branches
for the White and Coloured members, hold separate meetings, and elect all-White
Executive Committees. Special exemption might be granted by the Minister of
Labour in cases where the number of White or of Coloured workers concerned
was so small that they could not form an effective separate union, or separate
branch.
If over half of the White or of the Coloured members, in the industry and area for
which a mixed union was registered, wished to break away and establish a
separate union along racial lines, they might apply for separate registration. After
consultation with the original union, the Industrial Registrar might then vary the
terms of its registration to exclude all members of the race that had formed the
break-away group. If a closed shop agreement had operated during the preceding
five years, up to one breakaway White union and one new Coloured union might
obtain a share of the assets of the original mixed union.
During 1958 the Institute of Race Relations investigated what the effect of these
provisions had been. At the time of writing, information had been obtained in
respect of 146 trade unions, constituting 84 per cent of those registered when the
investigation was commenced. Of these:
58 per cent catered for White workers only;
12 per cent catered for Coloured and Indian workers only;
30 per cent were mixed unions.
Of the 44 unions that were mixed:
6 had decided to split into separate unions for White and Coloured members;
21 had decided to form separate branches;
16 had applied for, or been granted, exemption;
1 had decided to de-register.

Of the 146 unions, 110 gave membership figures, as follows:

<table>
<thead>
<tr>
<th></th>
<th>Whites</th>
<th>Coloured</th>
<th>Indians</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Mixed&quot; unions</td>
<td>71,459</td>
<td>46,471</td>
<td>11,844</td>
</tr>
<tr>
<td>White unions</td>
<td>177,538</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coloured unions</td>
<td></td>
<td>8,308</td>
<td>3,847</td>
</tr>
<tr>
<td></td>
<td>248,997</td>
<td>54,779</td>
<td>15,691</td>
</tr>
</tbody>
</table>

Information was received, then, in regard to a total of 319,467 members of registered trade unions, 28 per cent of whom were Coloured or Indian.

Proposed Industrial Conciliation Amendment Bill
It was mentioned above that a draft Bill to amend the Industrial Conciliation Act has been circulated to employers' organizations and trade unions. It is understood that, in terms of the Bill, remaining mixed unions will not be able to extend their areas of operation, nor their spheres of interest, unless they do so in respect of one racial group only. The law already provides that such unions must have separate White and Coloured branches that hold their meetings separately: the Bill adds that mixed conferences within a union may not be held, either.

AFRICAN LABOUR DISPUTES
According to the Report of the Department of Labour for the calendar year 1957(8), during that year there were 130 African labour disputes which were settled by means of the machinery of the Native Labour (Settlement of Disputes) Act without the workers resorting to strike action. These disputes involved 15,997 employees.

The Minister of Justice said("8) that 113 strikes involving 6,158 African workers were reported during 1957. In 13 cases the strikes had been settled by granting increased wages or improved working conditions; while in 20 cases the workers had been prosecuted for striking illegally. (The Minister did not explain how the remaining strikes had been settled.) Altogether, he said, 539 Africans had been charged and 274 convicted during the year for participation in illegal strikes. The most serious of the strikes, through which, the Minister said("8), 9,242 shifts were lost, was of some 1,300 African employees in the flour milling industry in Johannesburg. According to Press reports(4 1), during November 1957 these men demanded that their weekly wage (including c.o.l.a.) be increased

(38) Assembly, 24 January 1958, Hansard 1 col. 206.
(40) Senate, 24 September 1958, Hansard 7 col. 1934.

A SURVEY OF RACE
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from £2 18s. 3d. to £4 8s. 3d. The employers maintained that so large a claim was ridiculous; but offered an increase of 6/9 per week. The Native Commissioner met the strikers and urged them to accept this offer, promising that if they did so he would see to it that negotiations for further increases were set in train, and warning them of police action if they did not accept. They finally did so, the agreement with the employers stipulating that there would be no victimization of the strikers.
Another serious strike, which took place in February 1958, was of some 3,700 African employees of the Amato textile factory in Benoni,(42) who demanded an increase in pay, pointing out that their average wages, of about £3 a week (including (c.o.l.a.), had not been raised since 1951. After negotiations with the employer had broken down, the men were all discharged and told to return later for their pay. When they did so, they found the police present in strength. The men were ordered to form up into groups according to the sections in which they had worked. Reports of what then occurred are confused: one report stated that through a misunderstanding two groups surged forward simultaneously to obtain their pay and pressed against the police. The police stated that stones were flung at them and they heard two shots fired. In any event, a baton charge was ordered; some twenty Africans were subsequently admitted to hospital, and about thirty others received treatment for injuries.
The majority of the workers were later re-engaged through the labour bureau; but those deemed to be agitators were not taken back. Numbers of these men were unable to find other work and had to leave the town.
According to the Report of the Department of Labour, mentioned above, at meetings of industrial councils, conciliation boards and the Wage Board that they attended during 1957, members of the Native Labour Board succeeded in "obtaining marked improvements in the wages and other conditions of employment of some 42,000 Native workers".
EMPLOYMENT IN AGRICULTURE The supply of labour
The Commission of Enquiry into the depopulation of rural areas has not yet submitted its report; but in an address given in August 1958 to the National Woolgrowers' Association(4') the chairman of the Commission, Dr. F. J. du Toit, is reported to have said that in 1957 only 18.84 per cent of the White population was left on the farms, as compared with about 35 per cent in 1936.
(42) As reported in Drum, April and May 1958; Star, 15 February 1958; Rand Daily Mail, 17 February 1958.
(43) Star report, 8 October 1958.
As the Fagan Commission pointed out, this drift away from the land is inevitable in a developing economy - for Black as well as for White. Increasing attention is being paid to the question of the supply of African farm labour: the Transvaal Agricultural Union held a special conference on the subject during May 1958.
Through its labour bureau system and the restrictions imposed on the employment of "foreign" Africans in urban areas, described in an earlier chapter, the
Government is attempting to distribute African labour in accordance with the requests received from rural as well as urban areas, instead of allowing it to flow to the sectors of the economy offering workers the best inducements, thus allowing the law of supply and demand to operate naturally. The schemes for enrolling petty offenders in urban areas for work on farms as an alternative to prosecution, and for employing prison labour on farms, are dealt with later.

A further method of distributing the available supply of African labour amongst the farmers has been through the implementation of Chapter IV of the Native Trust and Land Act of 1936 as amended. The Minister of Native Affairs said during July that according to preliminary figures which could not be regarded as too reliable, there were 86,195 labour tenants, 25,655 squatters and 239,872 full-time African servants on the farms affected. (These constituted perhaps one-half of the total farm labour force. ) Labour Tenants' Control Boards had been set up to determine the number of families of labour tenants that might be employed on each farm in their areas of jurisdiction: the Minister had laid down in 1954 that the normal number would be five per farm. He said that those adjudged to be surplus to requirements were being assisted by labour bureaux to re-settle on other farms where labour tenants were needed.

The squatters, he continued, were when feasible, being assisted by the bureaux to obtain work as full-time farm labourers. If, however, the breadwinner was away working in a town or on the mines, residence for the family was provided in a rural village. There were cases in which the families of squatters had been living as part of a tribal entity under tribal conditions. Should the farm where they lived be in or adjacent to a scheduled or released area, the Trust endeavoured to purchase this farm for their continued residence. If this was not possible, the families were re-settled in a suitable tribal area or on a Trust farm.

Numbers of farmers do appreciate that they cannot rely on Government protection to ensure that they obtain their labour requirements, and that conditions of employment must be made more attractive. In an address given during May to the Transvaal Branch of the National Woolgrowers' Association, Mr. S. P. van Wyk, a senior professional officer of the Department of Economics and Markets, is reported to have said that until recent years there had been little necessity for farmers to make more efficient use of the existing labour potential. But rising working costs, a shortage of labour, and competition in the labour market were forcing them to change their ideas. It was advisable that farmers should start to consider the various factors which might increase the productivity of their labour: the most important of these factors were reasonable wages, good housing, privileges such as incentive bonuses for efficient work and the granting of leave, better labour...
relations, and the more efficient management and co-ordination of the available labour force.

A study of 73 representative farms in the Eastern Cape Province has recently been conducted by Miss Margaret Roberts. Her work was supervised by the Institute of Social and Economic Research of Rhodes University on behalf of the Institute of Race Relations. In her conclusions, Miss Roberts writes, inter alia, "The essentially paternalistic relationship between farmers and their workers is another obvious characteristic of the farm economy which has emerged from this study.... Despite the fact that there are very obvious advantages both for farmers and for their workers in their very human mutual involvement which is implied in this relationship, the conclusion could not be avoided that it is too much open to abuse by farmers to be accepted as permanent.

"This is particularly so since the system of influx control has virtually closed the towns to African farm workers, so that they have no alternative but to remain in farm employment whatever the conditions of work offered them. Unless there is an unexpected increase in the demand for labour on farms, which would be contrary to the general trend throughout the world, normal population growth combined with influx control must imply an increase in the supply of labour relative to the demand. This in turn will deny the workers their only means of enforcing improved and more uniform conditions of work namely, the threat of resignation. For this reason, if for no other, the conclusion cannot be avoided that unless the system of influx control is lifted, legal regulation of wages remains the only method of avoiding serious abuse of the paternalistic system".

(48) Labour in the Farm Economy, by Miss M. Roberts, published in 1958 by the Institute of Race Relations.

Wages paid on the farms

The Tomlinson Commission estimated(9) that the average total income (i.e. cash, kind, and value of goods produced for home consumption) of an African farm labourer in South Africa was about £83 in 1949-50, to which sum the wages of other members of the family should be added. The Minister of Native Affairs said recently(0) that, according to data collected by his Department together with the experts of the Transvaal Agricultural Union, "the wages, including the perquisites, enjoyed by the head of a family... are to-day calculated to be an average of £6 10s. Od. a month... whilst in many cases an additional amount is earned by wives and children of £_ 1 10s. Od. for the wife and 15s. for a small boy".

Miss Roberts chose the Albany and Bathurst districts of the Eastern Cape for her study of labour in the farm economy, mentioned above, one of her reasons being that these districts produced a larger variety of agricultural produce than any other area of comparable size in the Union. Of the 73 representative farms included in her sample, 21 were stock farms, 16 pineapple, 13 dairy, 8 citrus, and 15 mixed
farms. Her general impression was one of an area not naturally very well endowed, and with a history of relative poverty among farmers. Most of the farm labourers were Africans, although Coloured workers were not uncommon, and were included in the study.

The overall average size of the workers' families was 6 persons: many of them supplied the farmers with more than one permanent employee. Casual or seasonal work was available to the women and children on most of the farms; and additional cash payments were often made for specially skilled work, overtime, or as bonuses based on the output of the farm.

The average cash wages paid per month in 1957 were: Total Wages of earnings

<table>
<thead>
<tr>
<th>Type of farm</th>
<th>adult male per worker average family</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stock</td>
<td>£1 17 2 £2 10 1</td>
</tr>
<tr>
<td>Pines</td>
<td>£1 13 1 £3 16 0</td>
</tr>
<tr>
<td>Dairy</td>
<td>£1 14 3 £3 11 4</td>
</tr>
<tr>
<td>Citrus</td>
<td>£1 11 3 £3 14 2</td>
</tr>
<tr>
<td>Mixed</td>
<td>£1 12 8 £2 15 1</td>
</tr>
<tr>
<td>Average for whole sample</td>
<td>£1 11 10 £3 4 1</td>
</tr>
</tbody>
</table>

(49) U.G. 61/1955, page 35.
(50) Assembly, 24 July 1958, Hansard 3 col. 862.

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Miss Roberts pointed out that the average was appreciably higher than the typical, because higher wages were paid in the pineapple and dairy farming groups than in the rest. Just over half the farmers paid between £1 5s. 6d. and £1 10s. Gd. a month to adult male workers. The incomes varied widely within each group and for the sample as a whole.

She made a most detailed study of wages paid in kind, pointing out that these often did not take the form of regular rations or other payments, but depended on largely imponderable factors like the availability of surplus farm produce, the size of the farmer's income for the year, and his personal generosity. There were wide variations between the type and quantity of rations and clothing provided. On average, each worker was allowed to graze 62 weaned cattle but actually grazed five. Of the 73 farmers, 14 gave their workers no arable land at all, while of the rest, just over one-half gave an acre or less per family.

Miss Roberts calculated that the average cost to the farmers of wages paid in kind was £4 3s. 7d. per month. The total cost to the farmers of wages paid in cash and kind per family per month, on 71 farms, was:

<table>
<thead>
<tr>
<th>Number of farms</th>
<th>Cost of farms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than £4</td>
<td>4</td>
</tr>
<tr>
<td>£4--£4 19</td>
<td>6</td>
</tr>
<tr>
<td>£5--£5 19</td>
<td>7</td>
</tr>
</tbody>
</table>
If the estimated value of free housing and fuel was added, then the total annual income of a farm worker's family in cash and kind was about £107.

Miss Roberts then evaluated these wages from the point of view of the worker. He generally had to supplement his rations, but could in most cases buy grain from the farmer at wholesale prices, and could gather wild plants of nutritional value. His housing, water and wood cost far less than they would do in a town. His employer would usually see him through a serious illness. He generally had arable land and grazing rights, from which he did not derive as much benefit as he might. He had comparative freedom to brew beer and to visit friends on neighbouring farms.

Yet total family incomes were lower than the cash incomes of workers in urban areas - according to the Border Regional Survey, the average wage of male African unskilled workers was about £125 a year. Religious, educational and recreational facilities were limited on the farms. Many of the more intelligent and sophisticated type of farm workers, in particular, were tending to become restless and discontented with their dependence upon their employers.

EMPLOYMENT IN MANUFACTURING INDUSTRY

Numbers of employees, and wages paid

The latest industrial census was that for 1953-54, and only selected preliminary data relating to this census are so far available. The Department of Census and Statistics has recently revised the basis on which its interim indices of employment are calculated, rendering accurate comparison with former years impossible. It now conducts a monthly inquiry based on a sample of about 1,700 establishments (including all the larger ones) selected out of a total of 16,500 manufacturing and construction establishments that submitted returns at the 1953-54 census. At least 60 per cent of the employees in each of the 140 kinds of industry are included in the sample. The results are then "blown up" to reflect the estimated total number of employees and their salaries and wages.

The new tables are confined to the private manufacturing and construction industry; government and electricity undertakings are excluded. Working proprietors are also excluded, as are mine workshops (shown under mining), and laundries, dyeing and dry cleaning establishments (now classified under personal services). Various other rearrangements have been made, the object being to bring the tables into line with the system of industrial classification recommended by the Statistical Commission of the United Nations Organization.

The estimated total numbers of employees in 1957, calculated according to this new system, were: Coloured White and Asian African Total
Private manufacturing  202,400  122,700  364,700  689,800 Private  
construction  24,100  10,100  78,900  113,100  
Average salaries and wages per employee per month in 1955/56 were:(5')  
Coloured  
White and Asian  African  
Private manufacturing  64.6  21.0  12.5  
Private construction  66.9  26.5  11.6  
01) In Special Report No. 217.  
(52) See Special Report No. 215.  
(54) Special Report No. 215.  

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Skills of workers in manufacturing and certain other industries  
The only available information about the skills of the workers relates to 304,474  
employees whose wages were governed by current wage determinations made  
between the years 1937 and 1956. The Wage Board deduces skills from wages  
paid and has also carried out job evaluation studies. Certain sections of  
manufacturing industry are included, also the distributive and catering trades and  
the motor industry; but workers covered by wage determinations for unskilled  
labour only are excluded.  
The 304,474 employees included 112,340 Whites, 33,980 Coloured, 17,029  
Asians and 141,125 Africans. The percentages of workers of each race who fell  
into the various grades of skill were:  
Whites  ...  Coloured  Asians  ...  Africans  Total  ...  
Skilled  
...  ...  82.6  
...  ...  5.5  
5.6  
...  ...  6.2  
...  ...  99.9  
Semi-skilled  
27.7  20.2  10.2  41.8  99.9  
Unskilled  
0.8  13.2  
3.9  
82.0  99.9  
All employees  
36.9  11.2  
5.6  
46.3  
100.0  
These figures can also be analysed to show the skills of the workers of each race,  
as follows: Skilled  Semi-skilled  Unskilled  Total  
Whites ..........  86.4  12.5  1.1  100.0  
Coloured ..........  19.2  30.1  50.7  100.0  


Asians .......... 38.6 30.2 31.2 100.0
Africans .......... 5.2 15.0 79.8 100.0
All employees ...... 38.6 16.6 44.8 100.0

As an example of the interpretation of these tables, 82.6 per cent of all the skilled workers were Whites. Of the White workers themselves, 86.4 per cent were skilled.

The Apprenticeship system
Much concern has been expressed during the past year about the operation of the Apprenticeship Act: the Minister of Labour said recently(55) that the National Apprenticeship Committee was making a thorough examination of the situation. Of 4,056 apprentices (practically all White) who took trade tests in 1957, only 958 passed(56). The chief cause for complaint is that an apprentice can become an artisan merely by serving the required period of apprenticeship, and without passing the prescribed tests.

The Minister of Education, Arts and Science said during August(7) that of the 46,000 European pupils in Standard VII in 1953, only 17,000 reached Standard X in 1956. About 11,000

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left annually on the Standard VII level and another 13,400 on the Standard VIII level. "These pupils", he continued, "are going to enter the path of life unfinished, immature and inadequately prepared". Almost 7,500 apprentices were enrolled each year, of whom by far the majority fell under the heading of "early school leavers". Only about 2,500 of them had received pre-apprenticeship training at vocational schools, the Minister said.

Establishment of an industrial area in Orlando, Johannesburg
The City Council of Johannesburg has established an industrial area at Orlando West African township, adjoining the Orlando railway station. Each of the 96 sites is provided with a water connection, and electric power is available. Tenants are required to erect their own buildings(57). Some of these sites will be occupied by men who are forced to move their light industrial establishments from the central city area.

EMPLOYMENT IN COMMERCE IN URBAN AREAS
The dependence of Indians on trade because so few other occupations are open to them, and the dire threat to their livelihoods through the implementation of the Group Areas Act, is described in an earlier chapter.
One of the professed objects of the Group Areas Board is to make it possible for members of other racial groups to have greater opportunities for trade. But African traders in urban areas have a number of disabilities. The question of their lack of capital and frequent inexperience has already been discussed(56). Secondly, businessmen with premises in the "White" parts of the towns are being required to move to the African townships. Although sites and in
some cases also business premises are provided there, these townships are
deserted by an appreciable proportion of their residents during shopping and
business hours. Thirdly, because freehold title is not available to them, African
traders experience difficulty in arranging banking facilities and mortgages.
A further obstacle is the absence of banks in some of the large townships. There
is, for example, not a single bank in the whole complex of townships to the south-
west of Johannesburg, where more than 300,000 people are housed; despite the
fact that the City Council has approved their establishment and has for more than
a year been in negotiation with the Government in the matter.
The position is that, while it is the Government's policy that business activities in
African areas should be limited to Africans only, an exception to this principle
was permitted, on an experimental basis, in order to determine in what manner
banking facilities can best be made available to Africans. Each of the
(59) See page 140.

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four major institutions - the Standard Bank, Barclays, the Netherlands Bank and
the Volkskas - was allowed a quota of four branches in African townships. As
their quotas are apparently "full", they have not established branches in Orlando
or the surrounding townships, thus the traders and the host of other societies and
enterprises there have to bank in the City proper.
The Junior Chamber of Commerce has organized courses of lectures for African
traders in Johannesburg, Pretoria, and Pietermaritzburg. Training is given in
retail selling, wholesale buying, sales records, bookkeeping, banking, advertising
and display and other subjects, diplomas being presented to those who pass an
examination held at the end of the course. The first 22 Africans graduated in
Johannesburg during June.

After a lull of some 17 months, the African Chamber of Commerce was revived
in April. It publishes The African Trader, now in printed form.
Africans in Johannesburg have formed a co-operative trading society with
headquarters at Jabavu, where groceries and household goods are sold and a
butchery and a restaurant have been established. A branch has been opened in
Dube; and it is planned to set up further branches in other townships and
eventually to undertake wholesale trade. Prices are about ten per cent below those
charged in other stores in the townships.
The Central News Agency, which has more than one thousand African employees
in branches throughout the country, has recently appointed an African personnel
officer.

In terms of Proclamation No. 72 of 1958, commercial travellers, hawkers, pedlars
or dealers of all races wishing to operate or do business in African rural areas
require the written permission of the Minister of Native Affairs or the Chief
Native Commissioner for the area concerned.

PERSONAL SERVICE
Two new hotels of very high standard that cater for NonWhites of all groups have
recently been opened by European enterprise - the Windsor Hotel in
Pietermaritzburg and the Himalaya Hotel in Durban. Both have been granted liquor licences; but African residents are unable to order liquor. Europeans are permitted to attend special functions in the Himalaya Hotel, and to have drinks in a special lounge, provided that a register of European visitors is kept. The Merabe Hotel for Africans at Orlando, Johannesburg, recently applied for an on-sales liquor licence to enable residents and their guests to consume European-type liquor on the premises. The Johannesburg Non-European Affairs Department has recommended that the City Council should raise no objection. The Chief Information Officer of the Native Affairs Department said in a Press statement(“o) that special legislation would be necessary before such a licence could be granted.

A hotel for Coloured guests was opened in Beaufort West during August: this was established by Coloured initiative. An Indian resident of Johannesburg has inaugurated a travel service for Non-Whites. He has bought a bus with seats for twelve passengers and a courier, and has arranged round trips to Durban, East London, Port Elizabeth and Cape Town, booking accommodation for the passengers in Non-White hotels in these cities. A Domestic Service Union has been formed in Cape Town, which conducts courses of instruction for domestic servants and for nursemaids.

MINING
Preliminary figures published in the official Bulletin of Statistics show that in 1957 there were on average 64,455 Whites, 480,679 Africans, 3,177 Coloured and 416 Asians employed in mining. Very high proportions of these - 41,484 Whites and 295,599 Non-Whites - were engaged in gold mining in the Transvaal. The percentage of African mine-workers recruited from within the Union continues to decrease, as is shown in the territorial analysis of Africans employed by members and contractors of the Witwatersrand Native Labour Association as at 31 December of each year, published in the report of that Association for 1957:

<table>
<thead>
<tr>
<th>Territory</th>
<th>Numbers employed</th>
<th>Percentage of the total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Union</td>
<td>116,118</td>
<td>34.71</td>
</tr>
<tr>
<td>High Commission Territories</td>
<td>55,675</td>
<td>16.64</td>
</tr>
<tr>
<td>East Coast and Tropical territories</td>
<td>162,704</td>
<td>48.65</td>
</tr>
<tr>
<td></td>
<td>334,497</td>
<td>100.00</td>
</tr>
</tbody>
</table>

The Anglo American Corporation is training African welfare officers to work among African mine workers in the Orange Free State. The first group received their certificates at a ceremony held in Welkom early in 1958.
Two Africans from Tanganyika, Messrs. K. Keputa and W. Simbezi, who were employed on a gold mine in Brakpan, were during April awarded the Chamber of Mines Bronze Medal for (60) Star, 3 September 1958.

RELATIONS: 1957-58
Valour. They rescued a White miner who had been pinned down by a fall of rock just after he had lighted the fuses to a full round of explosive charges, and ignored his appeals to leave him and save themselves.

AFRICAN BUILDING WORKERS

In the Report of the Department of Labour for the year ended 31 December 1957(61), details are given of the progress made in the training of African building workers: Numbers trained and Numbers receiving training registered, 1951-57 at 31 December 1957

<table>
<thead>
<tr>
<th>Trade</th>
<th>1951-57</th>
<th>1957</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blocklaying</td>
<td>14</td>
<td>41</td>
</tr>
<tr>
<td>Bricklaying</td>
<td>1,093</td>
<td>528</td>
</tr>
<tr>
<td>Bricklaying/Plastering</td>
<td>115</td>
<td>6</td>
</tr>
<tr>
<td>Carpentry</td>
<td>279</td>
<td>63</td>
</tr>
<tr>
<td>Electrical wiring</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Painting</td>
<td>81</td>
<td>72</td>
</tr>
<tr>
<td>Plastering</td>
<td>74</td>
<td>44</td>
</tr>
<tr>
<td>Plumbing</td>
<td>51</td>
<td>81</td>
</tr>
<tr>
<td>Total</td>
<td>1,709</td>
<td>835</td>
</tr>
</tbody>
</table>

The majority of these men were trained in Johannesburg. Early in 1958 Mr. A. J. Archibald, Johannesburg's Director of Housing, reported(2) that within a period of five years, some 1,635 Africans had qualified as building workers, and more than 986 were receiving training as official learners. The great majority were bricklayers, but numbers of carpenters, drain-layers, plumbers, mechanics, painters and glaziers had also received their Government certificates. From the ranks of the labourers learners were selected, trade tests for whom were arranged periodically by the Department of Labour. Team leaders were appointed to take charge of groups of fifteen workers, and the more efficient leaders were promoted to be assistant foremen, responsible for the supervision of eight teams. At the head of each pyramid was an African foreman, in charge of a labour force of 400 to 500 men, building up to 16 houses a day. In a period of five days during April the Africans had completed 308 houses.

In an address given to the Johannesburg Rotary Club(3), Mr. Archibald said that with the assistance of grants from the City Council and the Bantu Welfare Trust, four young Africans were studying civil engineering at the University of the Witwatersrand. He said, too, that Africans had formed a transport concern which hired 50 heavy vehicles daily to the City Council.

(63) Star, 22 April, and Rand Daily Mail, 23 April 1958.

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At the end of 1957, Johannesburg employed 1,750 building labourers and 850 skilled and semi-skilled workers. A registered learner who has not passed a trade test earns £2 15s. 9d. a week (including c.o.l.a.), while a team leader receives £6 14s. Od. (4).

THE PUBLIC SERVICE
Including temporary and part-time White employees, there are at present posts for 90,179 Whites and 30,428 Non-Whites in the Public Service (excluding the S.A. Railways and Harbours Administration)(64). Of the Non-White posts, 1,297 are for Coloured, 332 for Asians, 19,630 for Africans, and the remaining 9,169 are for Non-White persons of the most suitable group. The large majority of the Non-White posts are in the police force. Apart from this, Coloured people are employed mainly in the Department of Coloured Affairs and the prison service, and Africans mainly in the Departments of Posts and Telegraphs and Native Affairs and in prisons.

During September 1958(65) the Minister of Justice told Parliament that the following numbers were employed in the Police Force:

<table>
<thead>
<tr>
<th></th>
<th>Whites</th>
<th>Coloured</th>
<th>Indians</th>
<th>Africans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing strength</td>
<td>11,561</td>
<td>912</td>
<td>314</td>
<td>10,744</td>
</tr>
<tr>
<td>Shortage</td>
<td>603</td>
<td>20</td>
<td>11</td>
<td>331</td>
</tr>
</tbody>
</table>

There were 248 White special constables and 83 White women being carried against posts for White constables, he said, which brought the actual shortage of Whites to 272. It was announced in the official Digest of South African Affairs for the week 4 to 10 July 1958 that it is planned to recruit a further 1,000 Africans per year for three years.

This article went on to say that 32 Africans hold the rank of Senior Sergeant (the highest rank at present open to them). Their salary scales (including c.o.l.a.) rise to just under £55 per month. There are 26 police stations under African command and three commanded by Coloured men. Other stations are manned by Non-Whites but have White officials in charge.

According to the Bulletin of Statistics, during 1957 averages of 30,994 Whites, 8,294 Africans, 2,748 Coloured and 60 Asians were employed in the postal and telephone services (including the engineering division). The most senior posts open to Non-Whites are those of counter-assistant grade I (in post offices in Non-White areas), and of overseer postmen. The salaries payable to men employed in these posts (excluding c.o.l.a.) rise to £570 a year for Coloured and Asian employees, and £420 for Africans. The majority of the Africans are unskilled workers in the engineering division.

(64) Official municipal publication The £3,000,000 Slum Clearance Scheme of the Johannesburg City Council, December 1957.


(66) Assembly, 9 September 1958, Hansard 9 col. 3249.

RELATIONS: 1957-58

S.A. RAILWAYS AND HARBOURS ADMINISTRATION

The proportion of Whites employed by the S.A. Railways and Harbours Administration continues to decrease. Average employment figures for 1957, according to the Bulletin of Statistics, were 111,246 Whites, 109,548 Africans, 10,964 Coloured and 620 Asians. By 31 March 1958, according to the Minister of
Transport(7), there were 110,506 Whites, 110,481 Africans and 11,709 Coloured
and Asians.

It was stated in the South African Railway News for April 1958 that African
booking clerks had since 1955 been working at suburban railway stations in the
African townships of Johannesburg. In view of the excellent results of this
experiment, the Railway Administration had decided to add to their numbers, and
to appoint an African instructor, Mr. T. H. Thulo, to train the new clerks, under
White supervision. Posts would be created for them at other Reef stations where
African passengers were in the large majority, and also in Kimberley and East
London. Mr. J. Hendrickse, a Coloured man, would run a similar course of
training for further Coloured booking clerks.

The Minister of Transport announced during July(•) that a special non-
pensionable allowance had been granted to the staff with effect from April 1958,
involving a total expenditure of £5,800,000 for the White employees and
£771,200 for the Non-Whites. The allowances to be granted to the Non-Whites
would vary with length of service. These amounts worked out at average
increases in pay of £52 5s. Od. a year for the White employees and £6 3s. Gd. a
year for the Non-Whites.

The first Queen's Medal to be won by a member of the Railway police was
presented by the Governor-General to Mr. S. Dudumashe, a former African
constable of Johannesburg, at a ceremony held during June. Mr. Dudumashe had
succeeded in arresting two gangsters, in spite of the fact that one of them had
wounded him seriously with a shot from a revolver(69).

LAW

Mr. A. Lukele obtained the second highest aggregate of marks in the examination
for attorneys conducted in the Transvaal in 1957, and became the first African to
win a Law Society prize(70). Mr. J. G. Matthews, the son of Professor Z. K.
Matthews, was admitted to the Side Bar in Cape Town during March.

The practices of two Africans of Cape Town, Mr. A. Ndlovu and Mr. C. M.
Kobus, have been ruined because they were ordered to leave their chambers in the
central area of the city, and move to Langa Township or some other African area.

Mr. Ndlovu was the

(67) Assembly, 8 August 1958, Hansard 5 col. 1730.
(69) Star report. 26 June 1958.

first African to gain the LL.B. degree (being assisted financially by the Cape
Peninsula Joint Council for Europeans and Africans), and was admitted to the Bar
in 1950. Mr. Kobus gained admission to the Side Bar in 1954.

Mr. Ndlovu has decided to emigrate to England, as the rules of court make it
impossible for him to practise from chambers so far from the Supreme Court. The
Law Society of the Cape appealed to the Native Affairs Department on Mr.
Kobus' behalf, writing(71), "Mr. Kobus, as far as this society is aware, has
conducted his practice in accordance with the ethics of the profession in every
respect, and in view of the undoubted hardship which will result if he is forced to
leave his present address and move to Langa, my council has no hesitation in strongly supporting his application".

The Institute of Race Relations (Cape Western Region) also urged that the decision be reversed, but was informed by the Chief Native Commissioner that it must stand. Mr. Kobus, it was stated, had qualified in the Transkei, and could without hindrance have set up a practice in a town there: he could even have obtained freehold title to land in an appropriate portion of such a town. If a practice in Langa township did not suit him he could still return to the Transkei.

NURSING

The provisions of the Nursing Act of 1957 were described in the previous issue of this Survey (72). Briefly, the Act laid down that the Nursing Council, which deals with the registration, training and discipline of nurses and midwives, is to consist of White persons only. Non-White nurses will elect Non-White members of Advisory Boards for Coloured and Africans respectively, each of these boards then electing one White nurse as its representative on the Council.

The Council is to keep separate registers for nurses and midwives of the various racial groups, and is empowered to prescribe different qualifications for registration and different uniforms and badges.

All registered practising nurses, midwives and students must be members of the Nursing Association, which concerns itself with salaries, conditions of service and related matters, but they will be organized into separate branches along racial lines. The Board of the Association will consist of White persons. Non-White nurses will elect Non-White members of Advisory Committees for Coloured and Africans respectively, each of these committees then electing one White nurse as its representative on the Board. A decision of the majority of White persons present at a meeting of White members only will constitute a decision of the Association.

(72) Page 158.

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A SURVEY OF RACE

Except in cases of emergency, no White nurse, midwife or student may be employed under the control and supervision of any Non-White nurse.

Towards the end of 1957 a group of Non-White nurses decided to found a Federation of S.A. Nurses and Midwives, membership of which would be open to persons of any racial group, and to seek direct affiliation to the International Nursing Council. The attitude of the latter body remains to be seen: its constitution provides that membership of constituent bodies should be open to all classes of registered nurses, and this is still the case with the S.A. Nursing Association, although the rights of Non-White members have been severely curtailed. The new Federation decided that to form separate branches of the Nursing Association and to participate in the election of members of separate advisory boards and committees would be to condone apartheid; but this lead was not followed by all Non-White nurses - numbers of separate branches were formed in areas where these had previously been "mixed".
In January 1958 the Nursing Council distributed forms for completion by all nurses, midwives and students, on which they were required to state whether they had been classified as White, Coloured or Native persons under the Population Registration Act, and what their identity numbers were.

This was very much resented by Non-White nurses, particularly African women, since in order to obtain their identity numbers they had to report to officials of the Native Affairs Department, and were then liable to be issued with reference books. Furthermore, they objected to stating their race as "Native".

Protest meetings were held at numbers of hospitals. At a meeting of Non-White nurses held during January at King Edward VIII Hospital, Durban, tempers rose to such an extent that the police were summoned; but the women had quietened down by the time they arrived. The hospital superintendent then announced that the Nursing Council had informed him that African women nurses who were not in possession of their identity numbers need not furnish these.

Non-White nurses at the Baragwanath Hospital, Johannesburg, also held protest meetings and announced that they would refuse to complete the forms. The Federation of S.A. Women decided to arrange a demonstration in support of the nurses. The authorities feared that disturbances might result: the African townships were cordoned off from the hospital, roadblocks were set up, the police assembled in strength in the roads leading to the hospital, and it was reported that a ward had been cleared for possible casualties. As a result of the precautions taken, the policemen probably outnumbered the demonstrators who arrived at the hospital (3).

(73) Reports in Contact, 5 April, and Star, 22 March 1958.

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A SURVEY OF RACE

The latter were permitted to send a deputation to see the Superintendent and Matron, who said they had been asked by the Nursing Council to inform them that, for the time being, African women nurses need not furnish their identity numbers. The Council had stated, further, that the syllabuses and examinations set for Non-White nurses, and the certificates issued to them, would be the same as those for Whites. Nothing would appear on the certificates to indicate the racial group of the holders.

Later, on 8 August, Government Notice No. 1128 was gazetted, requiring all persons on the register for nurses and midwives to submit a form reading, "I . . . . hereby state that I have been classified as a (White or Coloured person or Native) under the Population Registration Act, 1950, and that my identity number is . . . ."). New applicants for registration or for membership of the Nursing Association were required to fill in forms drafted along similar lines. The notice did not state that African women would temporarily be exempt from furnishing their identity numbers. No date was stipulated for the submission of the forms. There has been some ill-feeling among certain White hospital nurses who objected to taking instructions from Non-White doctors serving as interns, or visiting private patients. During 1954 the Pretoria Hospital Board refused to allow
an Indian doctor to visit his patients, on the grounds that a White sister was in charge of the ward (the building of which had been financed by an Indian). In 1957, after a Non-White sister had taken over, the doctor re-applied, and was granted permission for a probationary period of six months(7).

At a congress of the S.A. Nursing Association held during October 1958, a motion that White nurses should not be compelled to take orders from Non-White doctors was defeated.

An African midwife, Mrs. N. Moila, is building a maternity home in the African village of Chebang, near Pietersburg. The first African to be appointed to the position of matron is Miss Shezi, who holds the position of Grade V Matron at the Springs Non-European Hospital.

TEACHERS

After there had been much agitation and negotiation, new salary scales for White teachers were introduced during May. It was reported that these would cost the four provinces an additional £9,980,000 over five years. No improvements were, however, made to the salary scales for Coloured, Indian or African teachers.

Mr. M. B. Naidoo, the former vice-principal of the Sastri College in Durban, has been appointed associate professor of (74) Star report, 30 April 1958.

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geography at the Trenton State Teachers’ College in New Jersey. Another South African Indian, Mr. G. R. Varma, has been elected a fellow of the Linnean Society of London.

A number of African graduate teachers have recently left South Africa to take up positions in Ghana.

RESEARCH WORK IN CONNECTION WITH EMPLOYMENT

The National Institute for Personnel Research is continuing work on its classification tests for African labour, which can be administered anywhere in Africa, regardless of the literacy, degree of Western acculturation or language spoken by the person to be classified. A screening test separates those suitable only for unskilled duties from those with potentialities for mechanical or supervisory work. Special batteries then classify the latter for various types of mechanical duties, while members of the former group are re-classified according to their capacity for sustained physical effort: here the question of motivation is a complicating factor.

Leadership tests have also been devised, and work is in progress on tests for the selection of Africans for higher positions in the clerical, administrative and professional fields. Also in progress are studies of the effect of climate on work performance, and of the factors that influence the motivation and morale of an African working force(75).

The Institute for Social Research of the University of Natal is planning a multi-disciplinary survey of the potential resources of the Umgeni catchment area. Work has been commenced on some aspects of soil and water management by African and Indian peri-urban communities, and on social aspects of migratory and commuting Zulu labour.
The Universities of Stellenbosch and Cape Town are continuing their investigation of the economic position of the Coloured people of the Western Cape; while the Institute of Social and Economic Research at Rhodes University is surveying the economic development of the Border region. Mention has been made above of the study of farm labour in the Eastern Cape conducted under the auspices of the Institute of Race Relations, and of the work in progress on the present cost of living for Africans in Johannesburg.

(7-) From an article Research into the Occupational Fitness of Africans in the Union of South Africa, by Dr. S. Biesheuvel, Bulletin of Inter-African Labour Institute, 1 September 1957.

A SURVEY OF RACE EDUCATION

GOVERNMENT PLAN FOR THE CO-ORDINATION OF EDUCATIONAL ACTIVITIES

In a written statement handed to the Press(1) during October 1958, the Minister of Education, Arts and Science said, "I am convinced more than ever before that the time has arrived to give South Africa a purposeful national education policy so that present divergent policy can be altered. What we need is a National Education Act in which the great educational principles, which are in the interests of South Africa, could be entrenched, and in which provision will be made for the introduction of a statutory national educational council . . . With this council, it is by no means the intention to remove education from the provincial councils". He added, "In South Africa, there is no room for a petty, selfish and sectional approach to educational problems. Education must be approached and fitted in its South African perspective".

The Church of the Province of South Africa interpreted this statement as implying that Christian National Education is to be introduced into all State schools. In the October issue of its official organ, Church News, it set out its objections to this form of education.

BANTU EDUCATION ACCOUNT

The revenue and expenditure of the Bantu Education Account for 1956-57 are set out in the Report of the Controller and AuditorGeneral for that year(1), and the estimates for 1958-59 in Estimates of Revenue and Expenditure to be Defrayed from Bantu Education Account(1).

The main sources of revenue continue to be a fixed sum of £6 -million transferred annually from the General Revenue Account, and four-fifths of the amount paid by Africans in general taxation (estimated to be £2,020,000 in 1958-59). The Natives Taxation and Development Act of 1958, in terms of which the rate of general taxation is to be increased, is dealt with in an earlier chapter of this Survey.

At its meeting in January 1958, the Council of the Institute of Race Relations resolved:

1. "The Council considers that the only equitable and practicable
method of financing African education is by means of an annual grant from the
general revenues of the country. As calculated by the Eiselein Commission, this
grant should expand at the rate of 7 per cent per annum compound interest to
permit of the gradual but healthy development of the system.
(1) e.g. Rand Daily Mail of 11 October 1958.
(2) U.G. 43/1957 pages 8, 84, 122 and 446.

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2. "The Council is disturbed at the withdrawal of grants for
equipment (for lessons such as sewing, gardening, art, woodwork and domestic
science). It is quite unreasonable to place the additional burden of providing for
this on the parents of
the lowest economic group in the country".

BANTU EDUCATION STATISTICS
In the publication Estimates of Expenditure to be Defrayed from the Bantu
Education Account, mentioned above, the staff of the Bantu Education
Department is listed. It consists of 766 Whites and 1,574 Africans. They include
415 persons engaged on administrative duties, 312 on the inspectorate, 446
employed in teacher training, 830 teachers in primary and secondary schools, 115
in technical and industrial schools, and 222 persons supervising school hostels.
Teachers in community, farm, factory, mine and private schools were not
included in these figures.
Detailed statistics for the fourth quarter of 1956 were given in the Bantu
Education Journal for February 1958:

<table>
<thead>
<tr>
<th>Region of schools</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>N. Transvaal</td>
<td>836</td>
</tr>
<tr>
<td>S. Transvaal</td>
<td>751</td>
</tr>
<tr>
<td>Orange Free State</td>
<td>842</td>
</tr>
<tr>
<td>Transkei</td>
<td>1,468</td>
</tr>
<tr>
<td>Ciskei &amp; W. Cape</td>
<td>852</td>
</tr>
<tr>
<td>Natal</td>
<td>1,343</td>
</tr>
<tr>
<td>Union</td>
<td>6,092</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Teachers in</th>
<th>Paid or subsidized by the State</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Private</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>N. Transvaal</td>
<td>2,224</td>
</tr>
<tr>
<td>S. Transvaal</td>
<td>2,581</td>
</tr>
<tr>
<td>Orange Free State</td>
<td>1,864</td>
</tr>
<tr>
<td>Transkei</td>
<td>2,026</td>
</tr>
<tr>
<td>Ciskei &amp; W. Cape</td>
<td>1,489</td>
</tr>
<tr>
<td>Natal</td>
<td>2,392</td>
</tr>
<tr>
<td>Union</td>
<td>12,576</td>
</tr>
</tbody>
</table>
There were, on average, 45.5 pupils per State paid or subsidized teacher. Double sessions had been introduced in 3,784 schools, forming 62.1 per cent of the total number (or constituting 73 per cent of the primary schools).

The distribution of pupils was as follows:

<table>
<thead>
<tr>
<th>Region</th>
<th>Lower primary</th>
<th>Higher primary</th>
<th>Secondary</th>
<th>Vocational Total</th>
<th>Teacher training</th>
</tr>
</thead>
<tbody>
<tr>
<td>E. Cape</td>
<td>175,658</td>
<td>112,527</td>
<td>33,474</td>
<td>25,214</td>
<td>805</td>
</tr>
<tr>
<td>W. Cape</td>
<td>134,158</td>
<td>90,365</td>
<td>32,318</td>
<td>25,214</td>
<td>1,028</td>
</tr>
<tr>
<td>Totals</td>
<td>309,816</td>
<td>202,892</td>
<td>65,792</td>
<td>50,428</td>
<td>813</td>
</tr>
</tbody>
</table>

Of the total number of pupils, 74.5 per cent were in lower primary classes, 21.7 per cent in higher primary, 3.0 per cent in secondary classes, 0.6 per cent were training as teachers, and 0.2 per cent were in vocational classes.

The Minister of Native Affairs said in the Assembly on 29 July 1958(4) that there were then 1,023 private unaided schools, 1,529 aided farm, factory or mine schools, 4,340 aided community schools, and 203 Government schools. The total number of pupils had risen to 1,259,661 in 1957 and according to preliminary figures to 1,340,000 in 1958. Earlier, on 24 January(5), he had said that the number of African children attending school in 1957 represented 56 per cent of those of school-going age.

The Departmental Chief Information Officer stated during May(4) that a UNESCO report issued in 1952 had put the literacy rate among Africans in the Union at 21.8 per cent. He estimated that this rate had now risen to about 35 per cent.
Information about school boards and committees was given in the Bantu Education Journal for February 1958. This system applies only to Bantu community schools, each of which has a school committee. Groups of schools in the same tribal or residential area are administered by a school board; but in the case of an isolated school, the school committee acts also as a board. As at 30 June 1957 there were 472 school boards, between them employing 238 full-time and 244 part-time secretaries.

At the Council meeting of the Institute of Race Relations in January 1958, papers on the implementation of the Bantu Education Act were given by Mr. J. W. Macquarrie(7) and Dr. D. G. S. M'Timkulu. The Council's general finding(8) was that the Act was being implemented in a manner detrimental to the progress of the African people. On the subject of the community control of schools it stated: "The Council notes with appreciation the establishment of African School Boards and School Committees. It considers, however, that if, as is apparently intended, these bodies are to exercise effective control of their schools:

(a) their members should be duly elected by popular vote at open meetings and not, as at present, largely by nomination of officials, chiefs and headmen;
(b) their appointment and their continued term of office should not be subject to the approval of departmental officials or the Minister;
(c) they should be given the power to co-opt as members, in an advisory capacity, missionaries and other interested and qualified Europeans.

The Institute recognises that many teachers suffer hardships under the present School Board system but hopes that these will disappear as the Boards become more experienced".

LOWER PRIMARY SCHOOLS FOR AFRICANS
Findings of the Institute's Council concerned with lower primary schools were:

Double sessions
"The Council considers that, as in European education, double sessions should be introduced only to overcome temporary shortages of accommodation, and that the necessary additional teachers should be employed to cater for the additional pupils".

Standard II examination
"The Council suggests that an external test at the end of Standard II is impracticable and undesirable, and strongly urges that regulations governing promotion from Standard II to Standard III be rescinded".

The question of accommodation for Standard III pupils has given cause for concern. At the end of 1958 the first group of pupils who have been educated on the double-session scheme will write their Standard II examination. The numbers attending lower primary schools have been expanded through the adoption of this scheme; but it appears doubtful whether an adequate number of higher primary schools have been built. Should this be the case, it is likely that a strict test will be applied at the end of Standard II, and that the door to further school education will be closed to all those who fail.

USE OF BANTU AND OFFICIAL LANGUAGES

Education is now given through the medium of the mother-tongue up to and including Standard VI. Pupils in this class in 1958 may write their examinations in a Bantu language or an official language; but after 1958 only Bantu languages may be used. The use of the mother-tongue medium will be extended to the lowest class of the secondary schools in 1959.

The Institute's Council was opposed to the use of Bantu languages as media of instruction in the upper classes; and also to the ruling that both official languages must be taught as subjects by the beginning of the child's second year at school. It urged "that in the primary school at least up to and including Standard IV only one official language should be taught. This language, normally that more commonly used in the area, should be decided by the principal of the school with the approval of the school committee. In the upper classes, from Standard IV, this language should be the medium of instruction. Otherwise it is considered that African secondary education and all higher education will be very seriously undermined".

AFRICAN TEACHERS

Training and qualifications

The Director of Bantu Education states(1) that in July 1958 there were 39 training institutions for African teachers, six of them in the Northern Transvaal, five in the Southern Transvaal, five in the Ciskei (including Western Cape), eleven in the Transkei, eight in Natal and four in the Orange Free State.

The policy is that those in or near urban areas will be moved to the reserves. The Strijdom Training College, just outside Bloemfontein, was moved to Thaba 'Nchu at the beginning of 1958, its old premises now being used as a provincial hospital for Africans.

The Minister of Native Affairs said during July(2) that, according to available records, 5,500 African teachers were trained by the Bantu Education Department during the years 1955 to 1957 inclusive. Of these, 1,565 received loan bursaries. In order that the number of African teachers might be increased rapidly, the Department fixed the minimum qualification at Standard VI plus a three-years' course of training. It had previously been higher than this in certain areas: in the Cape, for example, the Junior Certificate (Standard VIII) plus two years'
professional training had been the minimum acceptable qualification for male teachers.

At its meeting in January 1958, referred to above, the Council of the Institute of Race Relations resolved "that it is false economy to employ less fully trained and consequently more poorly paid teachers. The Council recognises that at the present stage of development of African education, teachers in adequate numbers with the qualifications as in European work are not available. The Council maintains, however, that it is desirable to insist that all teachers should hold at least the Junior Certificate plus a two years' course of professional training".

Numbers of pupils per class
The Council resolved, further, "No teacher, even in the substandards, should be required to teach more than forty pupils at a time". As is mentioned above, during the fourth quarter of 1956 there were, on average, 45.5 pupils per State paid or subsidized teacher.

(9) Letter to the Institute of Race Relations, No. 400/302 dated 7 July 1958.

RELATIONS: 1957-58
Salary Scales
Salary scales for African teachers whose salaries are paid or subsidized by the State were published in Government Notice No. 1991 of 20 December 1957. Men and women teaching in lower primary classes have been placed on an identical scale, which means that men may again be appointed to such schools if they are willing to accept lower salaries than they could earn elsewhere. The scales (excluding c.o.l.a.) range from £90 to £150 a year for those with a lower primary teachers' certificate (Standard VI plus professional training), and from £102 to £186 for those with a higher primary certificate. (The scales in small farm, factory or mine schools are considerably lower).

In higher primary schools and classes and industrial schools the scales again differ according to the teacher's qualifications. A man with only a lower primary certificate, for example, earns from £120 to £201, while one with a degree plus a professional certificate earns from £258 to £450. Corresponding scales for women are £90 to £150, and £182 to £326. Jeanes teachers, principals, supervisors and sub-inspectors receive additional allowances rising to a maximum of £200 a year for principals of large schools and subinspectors (the latter is the highest post available to Africans).

Cost-of-living allowances vary according to the teacher's sex, marital status and salary scale. Examples are: £15 12s. 0d. a year for single women teachers earning £36 a year in small farm schools.
£34 16s. Gd. a year for single women teachers earning £90 a year in lower primary community schools.
£100 a year for single male teachers on the highest salary scale. £320 a year for married male teachers on the highest salary scale.

The Department has not yet completed its investigations of the implications of introducing a general pension scheme for African teachers.
Appointments and Discharges

The Minister of Native Affairs said during July(“) that of 5,500 African teachers trained by the Bantu Education Department from 1955 to 1957, about 770 had not yet been appointed as teachers.

The Department does not initiate appointments, but considers applications made by school boards or managers. It can, thus, give no guarantee of employment.

Vacant posts are advertised in the Bantu Education Journal.

During August 1957, circular letters were sent to numbers of school boards, stating that the enrolment and attendance at certain schools under their control no longer justified the number of subsidized posts authorized, and that the subsidies in respect of


A stated number of teachers would be withdrawn at the end of the year. The boards were asked to decide which teachers should be retrenched, and to inform the Department of their names by 1 October. If they did not do so, and failed to give a quarter's notice to the teachers concerned, they would themselves become responsible for finding their salaries.

The Minister reported during January(“) that the services of 135 African teachers in the Transkei had been terminated by school boards or managers during 1957 as a result of re-organization and the strict application of the staffing quota. There were no vacancies for teachers in the Transkei, but vacancies did exist elsewhere.

Altogether, he added, 157 teachers' posts had been abolished during 1957 in the Cape, 108 in Natal, 71 in the Transvaal and 20 in the Orange Free State. All the teachers concerned were eligible for re-appointment, and 713 new posts had been authorized during that year in other schools.

This caused a feeling of great insecurity among teachers. No staffing quota had been made known. It appeared to them that because of a shortage of funds, the available posts were being spread more thinly throughout the country. There was no machinery to enable those who had been retrenched to receive preference when new posts were created elsewhere.

There are still cases in which teachers are dismissed without being given any reasons, or any opportunity of a hearing before the school committee or board. It is reported(13) that this happened during May to the principal of the Musi High School at Pimville in Johannesburg.

The Council of the Institute of Race Relations resolved "that conditions of service for teachers, agreed upon in consultation with the profession, should have been incorporated in the Bantu Education Act. In any event, the regulations should be amended to make provision for such security". It stated, further, "The Council regrets to learn that the status of African staff members, and the harmonious relations which have hitherto existed between them and European members of the staffs of many institutions, appear to have deteriorated". Members had reported that in teacher training institutions that had
been taken over by the Government, staff meetings were now open only to Europeans, the Africans merely being informed later of decisions made.

PRIVATE SCHOOLS FOR AFRICANS
Full reports were given in earlier issues of this Survey(4) of the decision of certain churches to retain control of their schools.
(14) e.g. 1955-56 page 189; 1956-57 page 188.

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Their subsidies were progressively reduced, and terminated at the end of 1957, after which application had to be made for the registration of the schools as private institutions.
All those in "White" areas were refused registration: among them were well-known Catholic institutions such as the St. Louis Bertrand Secondary School for Girls at Potchefstroom, Venterspost Secondary School for Girls, St. Eugene's College for Boys at Leeupan, St. Thomas' Training College and School for Boys in Johannesburg, and others: most of these will close at the end of 1958. The Methodist Church was refused permission to continue to run the hostel at Kilnerton Institution, near Pretoria, after the end of 1958: it had previously most reluctantly handed over control of the training college and school. This institution, too, will close at the end of the year. The Anglican Grace Dieu boarding school at Pietersburg will close, too - the Church authorities found the conditions laid down for continuing as a private institution to be unacceptable. In a recent Press statement(5), the Chief Information Officer of the Native Affairs Department said that Stofberggedenksool, run by the Dutch Reformed Church, would also have to close as it was in a European area.
Altogether, about 40 of the private Catholic schools have been closed. Some 650 remain, catering for about 100,000 children. Of these, some 120 have received registration certificates, while the rest are awaiting replies to their applications for registration. The appeal for the Mission Schools Fund raised £800,000, but this amount will be exhausted by the end of 1960. The secondary departments of some of the schools have had to be closed because of lack of funds(“). Another institution which will have to close at the end of 1958 is the nursery school teacher training college run by the Anglicans at Ekuteleni Mission, Sophiatown, Johannesburg. The apparent reason is that the training of teachers is now a function of the Government - but the Government has provided no facilities for the training of African nursery school teachers.
At its meeting in January, the Council of the Institute of Race Relations resolved, "The Council maintains that private schools conducted by a church, or other responsible bodies or individuals, can continue to play in African education as in European education a vital rôle in the development of this service. The Council considers that such schools should be generously subsidized, at least to the extent of the provision of the salaries of all approved teachers on the staff".
A SURVEY OF RACE
EDUCATIONAL STATISTICS - WHITE, COLOURED AND ASIAN CHILDREN
The Provincial Education Departments supplied the following statistics for 1958:

<table>
<thead>
<tr>
<th></th>
<th>Cape</th>
<th>Transvaal</th>
<th>Natal</th>
<th>Free State</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-standards</td>
<td>37,966</td>
<td>59,942</td>
<td>54,628</td>
<td>14,240</td>
<td>431,026</td>
</tr>
<tr>
<td>Other primary classes</td>
<td>93,933</td>
<td>141,428</td>
<td>28,889</td>
<td></td>
<td>425,249</td>
</tr>
<tr>
<td>Special classes (backward) pupils, etc.</td>
<td>4,538</td>
<td>4,013</td>
<td>8,371</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary classes</td>
<td>53,714</td>
<td>89,076</td>
<td>12,838</td>
<td>18,932</td>
<td>174,560</td>
</tr>
<tr>
<td>Vocational classes</td>
<td>1,564</td>
<td>4,007</td>
<td>246</td>
<td>509</td>
<td>6,326</td>
</tr>
<tr>
<td>Secondary classes</td>
<td>11,525</td>
<td>19,976</td>
<td>5,068</td>
<td>295</td>
<td>36,864</td>
</tr>
<tr>
<td>Teacher-training classes</td>
<td>4,467</td>
<td>413</td>
<td>104,426</td>
<td>(10,105 Coloured, 94,321 Asian)</td>
<td></td>
</tr>
<tr>
<td>Vocational classes</td>
<td>3,930</td>
<td>377,765</td>
<td>75</td>
<td>18,560</td>
<td>2,266</td>
</tr>
</tbody>
</table>

The proportions of the pupils in the various types of schools were:

<table>
<thead>
<tr>
<th></th>
<th>Coloured</th>
<th>Asian</th>
<th>African</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary classes</td>
<td>70.7</td>
<td>94.5</td>
<td>96.2</td>
</tr>
<tr>
<td>Secondary classes</td>
<td>28.1</td>
<td>4.9</td>
<td>3.0</td>
</tr>
<tr>
<td>Vocational classes</td>
<td>0.2</td>
<td>0.2</td>
<td>0.2</td>
</tr>
<tr>
<td>Teacher-training institutions</td>
<td>1.0</td>
<td>0.6</td>
<td>0.6</td>
</tr>
</tbody>
</table>

SCHOOL FEEDING
In 1956 African school boards were given the choice of continuing with school feeding or using the money, instead, for the extension of educational facilities. The sum voted for African school feeding, which was £628,000 in 1954-55, has dropped to £50,000 in 1958-59(17). In spite of representations received from numbers of organizations and individuals, the Cape Provincial Administration decided to abolish grants for the feeding of White, Coloured and Asian children as from the end of March 1958. The citizens of Cape Town then set up a voluntary Peninsula School Feeding Association, which is raising money enough to provide a daily meal for about 44,000 children of all racial groups. Children in other towns of the Cape, and in rural areas, are not covered by any such scheme. From April 1958 the grant for Coloured, Indian and White children in Natal was reduced from 3d. to 2d. per child per day, and a means test was imposed. If the family income is below £2 per week per member of the family for Whites, and £1 per week for Indians and Coloured, the meal is supplied free; otherwise the children must pay 2d. per meal. The Transvaal Provincial Administration has done away with the "sit-down" meal that was available prior to 1958, the grant now being at the rate of 3d. per child per day for all children (other than Africans) whose schools decide to participate in the scheme. In the Orange Free State, a commission has been appointed to enquire into the desirability of continuing with the scheme. In the meanwhile the rates are 2d. per White child and 2d. per Coloured child per day. The African Children's Feeding Scheme in Johannesburg, and the Pretoria Joint Council of Europeans and Non-Europeans, continue to raise money to provide meals for needy African children. The organizers of the former scheme are feeding an average of 13,000 children daily at feeding centres, and supplying meals at 27 schools.

TECHNICAL AND VOCATIONAL EDUCATION

Enrolment figures for various technical and vocational training institutions, as on the first Tuesday of June 1956, are given in the Annual Report of the Department of Education, Arts and Science for the calendar year 1957(8). There were then 9,406 full-time and 55,510 part-time students attending technical colleges: their racial groups were not stated, but the large majority were White. There were also 6,158 White students attending commercial, housecraft or technical high schools. The enrolment in other types of institutions was:

<table>
<thead>
<tr>
<th>Type of institution</th>
<th>Whites</th>
<th>Coloured</th>
<th>Asians</th>
<th>Africans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schools of industries</td>
<td>2,164</td>
<td>592</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Reformatory schools</td>
<td>266</td>
<td>868</td>
<td>52</td>
<td>920</td>
</tr>
<tr>
<td>Schools for the physically handicapped</td>
<td>365</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>State-aided vocational schools</td>
<td>373</td>
<td>517</td>
<td>11</td>
<td>-</td>
</tr>
</tbody>
</table>
Special schools for the deaf ... 618 271 17 359
blind ... 200 48 24 116
epileptics ... 120 - - -
Special schools for cerebral palsied children .......... 159 - - -
Totals ...... 4,265 2,296 104 1,395


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About 2,000 African children attending vocational classes under the control of the Native Affairs Department were not included in these figures. A Government school for Coloured cerebral palsied children is to be opened at Eerste River, near Faure in the Cape.

The Vocational Education Amendment Act, No. 25 of 1958, amended the principal Act by providing that the Governor-General may, by proclamation in the Gazette, assign the administration of its provisions to any Minister, or partly to one Minister and partly to another. It also laid down that all schools or classes providing vocational education or training for a trade must be registered.

The Minister of Education, Arts and Science said(9) the intention was that all institutions providing vocational education for Coloured people would be transferred from his Department to the Department of Coloured Affairs, which would be in a better position to know how Coloured people should be trained to fit in with the economic requirements of the country. The schools to be transferred would be the Holy Rosary Mission School at Cradock, the St. Joseph Trade School at Aliwal North, the Sacred Heart Convent School at Aliwal North, the Sacred Heart Catholic School at Flagstaff, the St. James Technical School at Port Elizabeth, the Domestic Science School at Kirkwood, the St. Thomas High School for Coloureds, the St. Ida High School for Coloureds at Stellenbosch, and the St. Augustine High School at Wittebome.

The United Party opposed the measure because it did not subscribe to the principle of the division of control of education. One of the Coloured representatives opposed it too, but the other three said that while their constituents did not want the apartheid policy, they would accept the Government's scheme if it meant more vocational education.

A Special Schools Amendment Bill, designed to enable the control of special schools for blind, deaf and cerebral palsied Coloured children to be transferred to the Department of Coloured Affairs, was introduced but held over until the 1959 Session of Parliament.

The Jan H. Hofmeyr School of Social Work in Johannesburg has been informed by the Native Affairs Department that African social workers will in future be trained at the new Bantu colleges (described later). The school was given the choice of closing down after the end of 1959, when its subsidy will cease, or continuing as a private institution. It cannot, however, afford to continue without the substantial financial assistance it has been receiving from the Government. (19) Assembly, 29 July 1958, Hansard 4 col. 1112; and 15 July, Hansard 2 cols. 389-390.
RELATIONS: 1957-58
ENROLMENT AT UNIVERSITIES

According to the Annual Report of the Department of Education, Arts and Science, mentioned above, the enrolment at South African universities in 1956 was:

University
Cape Town ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... 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... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ......
Masters degrees in Arts, Science, and Education............. 1 4 1 6
Doctor of Arts .................................. 1 1
Medicine - Bachelors' degrees ...... 3 12 5 20
Master's degree ...... 1 - - 1
Totals ............ 47 62 145 254

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The first group of students to complete their training at the Natal Medical School graduated at the end of 1957. There were twelve successful candidates.

SEPARATE UNIVERSITY EDUCATION
The Commission of Inquiry
Details were given in previous issues of this Survey(“) of the Government's plans to introduce apartheid in the universities. In spite of the recommendations of the Holloway Commission, the Minister of Education, Arts and Science announced in May 1955 that it was the Government's intention to go ahead with the scheme. An Inter-Departmental Committee was then appointed to obtain further information, particularly on the financial implications. A Separate University Education Bill was introduced in Parliament during March 1957; but it was then pointed out that as this was a hybrid bill, affecting private interests as well as dealing with matters of public policy, its terms should have been made known well in advance, in order that the private bodies and individuals concerned might be afforded the opportunity of stating their views. An amended Bill was prepared, in which clauses affecting private interests were deleted. This passed its Second Reading during May 1957, and was then referred to a Select Committee which was transformed into a Commission of Inquiry during the Parliamentary recess.
Large numbers of organizations and individuals, including most of the universities, gave evidence before the Commission. As the Bill had passed its Second Reading, it had to be accepted that separate university colleges for Non-Whites were to be established; but evidence was admitted on the question of the possible exclusion of Non-White students from the open universities.
In a minority report, which will be discussed below, certain members of the Commission said(21), "The representatives of the Universities of Cape Town, the Witwatersrand, Potchefstroom and Natal, and the university personnel speaking on behalf of SABRA, all unequivocally rejected the idea of 'State' institutions governed from above (for Non-Whites). They insisted that if the proposed university colleges were to fulfil the function postulated for them to provide university institutions for Non-Whites of a standard equal to that of our existing universities-they must be autonomous institutions in the sense of managing their own affairs with the least possible interference from above. Only in this way could they draw the personnel necessary to give them status and avoid the damaging impression among Non-Whites of inferiority of character and quality.
(20) 1954-55 page 190; 1956-57 page 199.
“Those witnesses were equally agreed that if these new colleges were to train the Non-White groups for whom they are intended to the point where they can assume independent control of their own institutions, they must provide for co-operation between Whites and Non-Whites on Council and Senate”.

The Institute of Race Relations submitted a memorandum() and gave oral evidence during May. Briefly, while continuing to oppose the suggestion that the open universities should be closed to Non-White students, it respected the autonomy of the "closed" universities. It urged that the new university colleges for NonWhites should not be sited in remote rural areas; and suggested that they should initially be sponsored by existing universities. The aim should be the ultimate development of full university autonomy. The responsibility for financing these colleges initially would fall on the government - i.e. the citizens of South Africa and the moneys should be found from general revenue: not from the Bantu Education Account in the case of colleges for Africans.

The control exercised by the Government should be limited to ensuring the strict accounting of funds made available, the Institute continued. The powers enjoyed by the Minister should be subject to the same limitations as those contained in the Universities Act of 1955. The colleges should be specifically authorized to accept endowments, bequests and trust moneys and to raise funds. Their governing bodies should be multi-racial, and able to draw on the experience of the sponsoring universities. Regulations governing the staffs should be similar to those in existing universities: the Institute was opposed to any suggestion that members of staff should be regarded as civil servants. Disciplinary codes should contain no threat to academic integrity and the right to free analysis and discussion. While courses of study would initially bear relation to opportunities of employment and service, they should be varied beyond this range. Power of admission of students should lie with the college authorities.

The National Union of S.A. Students made public the text of the evidence it submitted to the Commission. It considered that the proposed university colleges could not conceivably provide university education of an equivalent standard to that provided by the established universities. The effect would be a material retrogression in regard to the higher education of Non-White people. NUSAS believed that the separation of one group of students from another because of their race or tribe was wrong. It appealed to the Commission to recommend that the Bill be withdrawn completely.

The Extension of University Education Bill

It is reported(3) that a majority of eight members of the thirteen serving on the Commission drafted their report months before the hearing of evidence had been completed. Certainly much of the evidence given was disregarded in the Majority Report. This incorporated a new draft Bill, entitled the Extension of University Education Bill, the text of which...
was made public on 12 August. It was submitted to Parliament without prior consultation with either the University Advisory Committee or the Committee of University Principals.

(a) Establishment of University Colleges

The Bill provides for the establishment of university colleges for Non-White persons. It is stated in the definitions that the "university education" to be made available means "education of a standard equivalent to that provided by universities established by Act of Parliament". The colleges for Africans will be financed out of moneys appropriated by Parliament from the Bantu Education Account, and will be under the control of the Minister of Native Affairs. Those for Coloured and Asian students will be financed out of moneys appropriated by Parliament from the General Revenue Account, and will be controlled by such Minister or Ministers as may be decided. The Majority Report stated that "the Commission foresees that the Department of Coloured Affairs will eventually assume responsibility for university colleges for Coloureds and Indians".

(b) Control and administration

Each college will have a Rector, to be appointed by the Minister, who will prescribe his powers, privileges, duties and functions. There will be both a Council and an Advisory Council. The Majority Report stated(18) that in the initial stages the Council would be composed solely of Europeans, and the Advisory Council solely of Non-Europeans. The Advisory Council would gradually assume greater responsibility until, after successfully passing through a period of training, it would take over the functions of the Council, the latter becoming the advisory body.

According to the Bill, the Council will consist of the Rector and not less than eight members appointed by the Governor-General, at least four of them to be appointed on the grounds of their special knowledge of or connection with university affairs. The Governor-General will designate one of the members as chairman. The Advisory Council will consist of not less than eight members appointed by the Governor-General, who will designate one of them as chairman. The Chairman of Council and the Rector or his representative may attend meetings of the advisory body, but will have no vote.

The Minister may delegate to the Council responsibility for the maintenance and conduct of the university college, the appoint(24) Paras. 61-66.

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ment of the Rector, the limitation of the number of students for any course, and power to refuse the admission of any student if this is considered to be in the interests of the university college.

Similarly, there will be a Senate and an Advisory Senate. The former will consist of the Rector as ex-officio chairman and such professors and lecturers of the university college as the Minister, after consultation with the Council, may decide. It will supervise and regulate the discipline and instruction, and control examinations. With the consent of the Council it may delegate any of its functions to the Advisory Senate, which will consist of such professors or lecturers as the Minister, after consultation with the Council, may decide. The Rector, after
consultation with the Council, will appoint the chairman; and he, or another member of the Senate deputed by him, may attend meetings of the advisory body, but will have no vote.

There will be such faculties and departments as may be prescribed after consultation with the Council.

In suggesting the creation of separate Councils and Senates, the Non-White bodies initially having purely advisory functions, the new Bill made a radical departure from the terms of the Separate University Education Bill of 1957. The Majority Report disregarded practically all the evidence given before the Commission on this point. It is stated in the Minority Report ("), "The only witness who gave strong support to the proposal for separate Councils and Senates was the representative of the Native Affairs Department ... (who) appeared before the Commission to present the Department's views".

(c) Staff

The new Bill provides that the establishment will be as determined by the Minister. It makes another innovation in proposing that the posts be divided into State posts and Council posts. They will all be State posts initially unless the Minister decides otherwise, and the power to appoint, promote or discharge incumbents will be vested in the Minister, who may delegate these powers to an official of his Department. These powers will be vested in the Council in respect of Council posts, subject in all cases to Ministerial approval of action taken. The Minister may alter the category of any vacant post, or, with the concurrence of the incumbent, of any other post.

So far as the State posts are concerned, salary scales and conditions of service will be as prescribed by the Minister after consultation with the Public Service Commission. The Public Service pension rights and regulations relating to misconduct and inefficiency will apply. Persons in State posts may be transferred to other State posts at the same or any other university college.


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In the case of Council posts, the salary scales and conditions of service will be determined by the Council with Ministerial approval. Pension and provident funds will be established. Rules relating to misconduct and inefficiency will be set out in conditions of service determined by the Council and approved by the Minister; but if the Council fails to act in a particular case the Minister may instruct that an inquiry be instituted and a report be submitted to him on the findings and the action contemplated. He may then direct what action should be taken, but if he does so, must table a report in both Houses of Parliament.

(d) Students

White persons are prohibited from attending university colleges proposed in terms of the Bill, a penalty of up to a £100 fine or six months’ imprisonment being provided for contravention of this provision. The Minister may decide that particular colleges shall admit only students of specified ethnic or other groups. The entrance qualification for degree students will be a university degree or a matriculation certificate or exemption certificate, and such other conditions as
may be prescribed. On the recommendation of the Council the Minister may
 prescribe as a prerequisite to admission to any particular course the attaining of a
 specified standard in specified subjects at the matriculation examination.
 Students must renew their registration annually. The Minister may refuse
 admission to any person if he considers it to be in the interests of the university
 college to do so; as is stated above, this power may later be delegated to the
 Council. The Council may require students to reside at approved places of
 residence. Financial or other material assistance to students may be granted by the
 Minister.
 (e) Omission of "Conscience clause"
 The "conscience clause" is a significant omission from the new Bill. The 1957
 Bill contained this clause, which is upheld by all South African Universities
 except Potchefstroom, and provides that no test of religious belief shall be
 imposed on any person as a condition of his becoming, or continuing to be, a
 student or member of staff, nor shall any preference be given to or any advantage
 withheld from any person on the ground of his religious belief.
 The Majority Report stated(“), "The Commission is of opinion that if the
 university colleges are to be a success and are to render the highest service to the
 Non-Europeans, they should be built up on a religious foundation".
 (f) Examinations, degrees, diplomas and certificates
 Until Parliament otherwise decides, the examinations, degrees, diplomas and
 certificates will be those of the University of South
 (21) Paxe 20.

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 Africa; but with the Minister's approval a university college may arrange courses
 of instruction in subjects that are outside the scope of this University, awarding its
 own diplomas or certificates. The Majority Report said that the Commission had
 in mind diplomas for secondary school teachers and in agriculture and forestry.
 (g) Attendance of Non-Whites as students of open universities
 As from a date to be fixed by the Governor-General, no Non-White student who
 is not already registered may register at or attend a University unless with the
 Minister's written consent. This provision will not apply to the University of
 South Africa (which accepts extra-mural students only), nor to the Natal Medical
 School.
 As from a further date to be fixed by the Governor-General, the question of
 consent will fall away. The prohibition will be absolute, except that:
 (i) the University of South Africa and the Natal Medical School are again
 excluded;
 (ii) students who are already registered on the proclaimed date may complete the
 courses of study for which they are
 registered;
 (iii) the Minister may make arrangements for the post-graduate
 training of Non-Whites at a place other than a university
 college;
 (iv) representatives in the Union of a foreign government and
members of their families will be exempt from the prohibition. Furthermore, different dates may be fixed in respect of different universities, separate faculties and departments within a university, and different racial, ethnic or other groups of Non-White persons. A penalty of up to a £100 fine or six months' imprisonment is laid down for contravention of these provisions.

General remarks made in the Majority Report
The following general remarks were made in the Majority Report("), "It is the considered opinion of the Commission that the existing 'open' or mixed universities will never be able to meet the real requirements of the Non-Europeans. At best they will only be able to provide university education for a limited number of Non-Europeans, as has been the case up to now. Moreover they will give the students a background which does not fit in with their national character and will give them an alien and contemptuous attitude towards their own culture . . .
(27) Paras. 26-35.

"If we are in earnest about creating a future for the Bantu (in the Bantu areas) the establishment of their own university colleges is imperative . . . Each (college) should serve an ethnic group, enriching it both spiritually and materially, as well as promoting the broader interests of South Africa . . . The product of the university should seek and find its highest fulfilment in the enrichment of its own social group . . . The university colleges will eventually be financed and controlled by the Non-Europeans themselves as full-fledged universities that will take their place among the best in the world".

The Minority Report
A Minority Report was drawn up by five of the thirteen members of the Commission, who submitted another draft Bill (which was disregarded by the Minister of Education, Arts and Science when he moved the introduction of the Extension of University Education Bill in the Assembly). These were the chief points of difference:
(a) Control and financing of the proposed university colleges

The proposed university colleges should fall under the control of one Minister - the Minister in charge of higher education for all racial groups. The Minority Report rejected the suggestion that university colleges for Africans should be financed from and through the Bantu Education Account, the Africans thus being called upon to finance their own higher education. It recommended that during their formative years the new university colleges should each be associated with one or more of the existing universities.

(b) Administration

The proposal that separate, racially segregated Councils and Senates be established was rejected. The administration of the new colleges should be similar to that of the colleges which constituted the University of South Africa from 1916 to 1950. Each Council should have full authority within the institution for which it is constituted, including the right, subject to the Minister's approval, to appoint the
staff, who should be its employees. The Councils should not consist entirely of Government nominees.
The "conscience clause" should be retained.
(c) Admission to universities and university colleges
The Minority Report rejected exclusive ethnic divisions as the foundation of any university college.
It proposed the postponement of the closing of "open" universities for at least ten years. Even after the ten-year period Non-Whites should be able, with the Minister's permission, to attend White institutions, and vice versa, for postgraduate study or research, or for obtaining any degree, diploma or certificate.
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Introduction of the Extension of University Education Bill in the Assembly
On 13 August 1958, the Minister of Education, Arts and Science moved in the Assembly that leave be granted to introduce the Extension of University Education Bill (as drafted in the Majority Report)("). The Leader of the Opposition moved to omit all words after "that" and to substitute, "this House declines to grant leave for the introduction of the Bill unless it receives satisfactory assurances that"(a) it will not provide for serious and unwarranted interference with traditional academic freedom and university autonomy by means of the control, other than reasonable financial control, of university institutions by the State; and
"(b) the Second Reading will not take place until the public and members of this House have had at least four weeks to study the recent report of the Commission on Separate University Education".
The Leader of the Natives' Representatives said(9), "While in general terms I can accept the amendment of the Hon. the Leader of the Opposition, my own choice would simply have been to say that I cannot in any circumstances give my consent to the introduction of this Bill".
The amendment was defeated by 83 votes to 49, and the Bill was read a first time.
No further progress was made with it before Parliament adjourned.
Reactions to the Bill
Various organizations, including NUSAS and the African National Congress, urged the public to dissuade the Government from accepting the Commission's recommendations. The Council and Senate of Rhodes University sent a memorandum to the Government stating that members were particularly perturbed by the omission of the "conscience clause".
The Institute of Race Relations issued a Press statement(30) expressing its dismay that the majority of the Commission had seen fit to disregard the evidence put before them, and pointing out that it was in the draft Bill presented by the minority that the substance of the recommendations made by witnesses was
embodied. It stated, inter alia, "The Institute considers that it is tragically mistaken to reject mixed councils and senates. The participation of Non-Whites on the governing bodies is a prime essential to enable them to gain experience, to provide a sound basis for their assumption of increasing responsibility, and, above all, to ensure their co-operation".

(28) Hansard 6 col. 2067.
(29) Col. 2070.
(30) RR 121/58.

FORT HARE UNIVERSITY COLLEGE TRANSFER BILL
As was stated in the previous issue of this Survey, a notice headed "Hybrid Bill" in the Gazette of 15 November 1957 announced the intention of the Minister of Native Affairs to apply for leave to introduce the Fort Hare University College Transfer Bill. Copies of the proposed Bill were deposited with the Administrator of the Cape, the Clerk of the House of Assembly, and the Magistrate at Alice. The general objects of the Bill were as stated in the last Survey (31), and its terms were similar to the relevant provisions of the first draft of the Separate University Education Bill (2).

The Bill was not proceeded with during 1958; but a notice in the Gazette of 7 November 1958 announced the intention of the new Minister of Bantu Education to introduce it.

NATAL MEDICAL SCHOOL
In reply to questions in the Assembly on 4 February (33), the Acting Minister of Education, Arts and Science said that the Government did still intend to remove the Medical School of the University of Natal from the control of that university. A committee would shortly be appointed to investigate certain administrative problems that would arise.

At a meeting of the S.A. Medical and Dental Council (34) the following month it was disclosed that the Administrator-in-Executive-Committee of Natal had informed the Minister that the Natal Provincial Administration would not enter an agreement for the joint maintenance of the Medical School with any educational authority other than the University of Natal. This would mean that the teaching facilities of the King Edward VIII Hospital would not be available to the students, rendering adequate training impossible (unless the Government introduced special legislation to take over the hospital). (5)

NEW COLLEGES FOR NON-WHITE STUDENTS
Work is continuing on the erection of colleges for Africans at Ngoya, in the Mtnzini district of Natal, and at Turfloop, about 22 miles from Pietersburg in the Northern Transvaal. The former is likely to be ready for use as a teacher training college during 1959. The Minister of Native Affairs said (6), "If and when the Government decide to start Bantu universities these sites may be extended to accommodate the proposed universities".

(31) Page 207.
(33) Hansard 3 cols. 825-6.
According to a Press statement by the Secretary for Education, the Government is negotiating for a site for a Coloured university at Athlone, Cape Town.

PROPOSED BRANCH OF THE AFRIKAANSE STUDENTEBOND

Early in 1958 a group of students at the University of the Witwatersrand proposed forming a branch of the Afrikaanse Studentebond there (this body was originally formed in 1916, but later disbanded. It was re-formed in 1933 when three of the four Afrikaans-medium universities disaffiliated from the National Union of S.A. Students over the question whether NUSAS was un-Afrikaans or anti-Afrikaans). The President of the Students' Representative Council stated that the Studentebond had so far not accepted Non-White students and was unfriendly to English-speaking, Catholic and Jewish students. For these reasons, the Students' Representative Council stipulated that if a branch was formed, it must be open to all students, as was the case with all university societies; but these conditions were not acceptable. A special referendum of students was eventually called to make a decision: the voting was 2,044 against and 478 in favour of permitting the establishment of the branch.

SOME BURSARIES FOR NON-WHITE STUDENTS

According to the official Estimates of Expenditure, sums totalling £70,650 have been set aside by the Government for bursaries or loans to African students during 1958-59.

Numbers of municipalities grant bursaries. Johannesburg, for example, provides for Africans six secondary education bursaries, four for vocational training, three for medical training, and one for civil engineering.

Since its inception in 1954, the Isaacson Foundation Bursary Fund, which is administered by the Institute of Race Relations, has granted £7,100 in interest-free loans to 88 Africans from the Witwatersrand for post-matriculation studies. Twenty of these students have already qualified. It has also made outright grants totalling £1,600 to 40 students to complete their matriculation examinations. New bursaries granted in 1958 total 41, including twelve for the matriculation course, 16 for university degrees, five for diplomas in teaching, two to assist medical students, and one each for an agricultural diploma and the Royal Sanitary Inspectors' course.

Numerous other funds, for example the African Medical Scholarships Trust Fund and the Robert Shapiro Trust, are continuing the work described in previous issues of this Survey. Southampton University is following the example of the Christian

(37) Star, 9 October 1958.
(38) Rand Daily Mail, 10 June 1958.
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Action Committee and Cambridge University in offering a scholarship for advanced study in Britain(“); and a group of students from the Amsterdam University has offered to assist an African postgraduate student to study in Holland.

As is mentioned in an earlier chapter of this Survey (page 33), three Non-White post-graduate students who were awarded bursaries for further study at the Oxford, Cambridge and London Universities were refused passports, apparently because the bursaries were offered by organizations opposed to the apartheid policy.

The Congress of Cultural Freedom in Paris is sponsoring a Committee on Science and Freedom to raise money to provide university scholarships for Africans in the Union. It has already sent £600 to the Non-European Students’ Fund of the University of Cape Town(41).

The Bodasing Trust in Durban is building a cinema, which will be leased to African Consolidated Theatres primarily for the use of the Indian community. The profits will be used for bursaries for Non-White students.

The Natal Region of the S.A. Institute of Race Relations has during the past year launched a fund to assist deserving African students in Durban.

NIGHT SCHOOLS AND CONTINUATION CLASSES

According to the latest Annual Report of the Department of Education, Arts and Science (U.G. 22/1958), in June 1956 there were 8,286 Whites, 762 Coloured persons and 449 Asians attending continuation classes registered with that Department.

During 1955 the Department of Native Affairs took over the control of such classes for Africans. New regulations for their administration were published in the Bantu Education Journal for November 1957, to come into operation from the beginning of 1958(42).

A night school is defined as a school for African pupils above the age of sixteen years, who are bona fide employees, and who receive primary education. The definition of a continuation class is similar, except that the pupils receive post-primary education. All such schools or classes must register with the Department of Bantu Education if they cater for ten or more pupils, their application for registration as private schools being accompanied by a permit from the Group Areas Board. They must operate during normal school terms only, and be open for inspection by Departmental officials. All teachers’ appointments are subject to the Director's approval, which may be withdrawn at 24 hours' notice without any reason being given.

If the schools or classes are in a European area (including peri-urban areas), registration must be renewed annually. In these areas and also in compounds or on farms, no pupil may be admitted unless he or she is over the age of sixteen and is an employee resident in the area, or is employed on the mine or farm or in the factory concerned. The person in control must be a European, and, if the Director deems it necessary, may be assisted by an advisory board consisting of European members only. School fees may be charged if the Department agrees; and the class or school must if possible be conducted in the buildings of a registered day school.

If the schools or classes are in African urban residential areas or African rural areas, they may be conducted by African school boards or committees only: private organizations conducting such classes were required to hand over the control, and all their assets and liabilities, by 1 January 1958. Application for registration must be made to the Department via the school board of the area concerned. If the classes are held in the building of a day school, they will be controlled by the school board and committee. If they are held elsewhere, the school committee or a separate committee may be appointed to supervise their work. The school boards are responsible for financing the schools and classes: they may be granted Departmental subsidies, and may charge school fees if the Department agrees.

The Chief Information Officer of the Native Affairs Department said in a Press statement(3) that the Department's first aim is to eliminate illiteracy. Night schools in African areas, providing primary education only, would almost always be granted subsidies if they complied with the regulations. But continuation classes, catering for post-primary students, could, in general, only be dealt with after the first problem of illiteracy had been tackled.

Even in the case of night schools in African areas there was considerable dislocation after the introduction of the new system. According to Press reports(44), certain school boards were instructed to reduce teachers' salaries and to raise the students' fees. For a number of months no subsidies were forthcoming. After teaching for two terms without any pay a large number of teachers drifted away, and as a result six schools in the Johannesburg and Germiston townships were forced to close.

But matters were considerably more difficult for the organizers of schools and classes for Africans in European areas. The excellent work that they had previously done has been described in previous issues of this Survey(45). After the schools were transferred to the control of the Native Affairs Department,

(43) Rand Daily Mail, 2 April 1958.
(44) e.g. Rand Daily Mail, 2 April 1958, The World, 30 August 1958.
(45) e.g. 1954-55 page 201; 1955-56 page 207.
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the Government subsidies that many of them had previously received were terminated, and, furthermore, the municipal authorities were not permitted to continue subsidizing the schools from their Native Revenue Accounts. As a result of the financial difficulties and the cumbersome new regulations, all the Durban night schools were closed. There were previously 23 of them, catering for between 3,500 and 5,000 pupils, many of the schools having been in operation for more than twenty years. The only classes now operating for adult Africans in Durban are those at the M. L. Sultan Technical College, which has been authorized to provide instruction in post-primary work and in dressmaking and commercial subjects.

The Cape Non-European Night Schools Association has been forced to discontinue its four schools in African townships, but applied for registration of the six schools it conducts in other areas. After a term's delay, during which no tuition could be given, registration was granted. The organizers have managed to carry on without subsidies because the vast majority of the teachers work in a voluntary capacity. The attendance at their remaining schools is between 300 and 350 a night: the enrolment is much higher. The Association has recently opened a library at Nyanga African township.

Five schools run under the auspices of the Pietermaritzburg City Council have also been granted registration: these are attended by about 1,500 working Africans, and provide education up to the Natal Junior Certificate standard(6). All the night-schools in Pretoria and other centres have been handed over to the Department.

The Dutch Reformed Churches are organizing a campaign to raise £3-million within five years which will be used to provide Christian literature for Africans.

RESEARCH WORK IN CONNECTION WITH EDUCATION

A study of the scholastic performance of Indian school children is in progress at the Institute for Social Research of the University of Natal. The Institute of Social and Economic Research at Rhodes University is investigating aspects of the education of Africans in an urban and a rural area. The age and standard at which the children leave school, and their retention of learning five years later, are being studied.

Mr. J. W. Macquarrie is undertaking an analysis of the effects of the Bantu Education Act, for the Institute of Race Relations; and Mr. R. B. Ballinger a study of history textbooks used in schools.

(46) NUSAS Newsletter No. 15 of 8 August 1958.

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HEALTH AND NUTRITION VITAL STATISTICS

The estimated population of the Union in given in the official Bulletin of Statistics, was:

White ... ...
Coloured ... ...
Asian ... ...

206
African  
Males  
1,504,000 676,000 225,000 4,904,000  
7,309,000  
Females  
1,507,000 684,000 216,000 4,702,000  
7,109,000  
207  
June 1958, as  
Total  
3,011,000 1,360,000 441,000 9,606,000  
14,418,000  
Preliminary vital statistics for 1957 for the White, Coloured and Asian sections of  
the population were:  
Rate per 1,000 of  
estimated mid-year population  
White  
Birth rate 25.6  
Death rate 8.7  
Natural increase rate 16.9  
Infant death rate 28.9  
Coloured  
49.0 16.8 32.2  
127.4  
Asian  
32.8 8.8 24.0  
65.4  
There are no comparable Union-wide figures for Africans, since the registration  
of African births, though compulsory, is incomplete. Figures for three of the  
larger cities, taken from recently-received reports of Medical Officers of Health,  
are:  
Pretoria  
1957  
Birth rate 40.92  
Death rate 11.66  
Infant death rate 116.51  
Cape Town  
1956  
26.8  
13.35  
250.2  
Port Elizabeth  
1957  
21.14 16.16  
397.18  
HOSPITAL BEDS AVAILABLE AND NURSING STAFF EMPLOYED
The information that follows has been kindly supplied by the Secretary for Health and the Provincial Secretaries:

Number of beds
State institutions
Mental Hospitals
Leper Institutions
Tuberculosis Institutions
Provincial hospitals
Cape
Orange Free State
Transvaal
Natal
Whites
7,774
32
704
3,945
907 5,501
1,858
Non-Whites
8,338 1,508 4,003
4,178
475
6,243 4,812

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Subsidized Mission hospitals
Cape
Orange Free State
Transvaal
Natal
Totals

669 2,112
358 362
1,236 4,245
160 3,222
23,144 39,498

In addition to those listed above, the S.A. National Tuberculosis Association has provided close on 4,000 beds in its settlements, 26 of which beds are for Whites and the remainder for Non-Whites. The Department of Health pays seven-eighths of the construction costs and, via the local authorities, is also responsible for maintenance costs.

There are also various institutions that are not subsidized by the Provinces and are, thus, not included in the above table. One of these is the Moroka Mission Hospital, which has 120 beds for Africans and an all-African nursing staff. Another is the ElizabethRoss Mission Hospital at Witzieshoek. A new provincial hospital for Non-White patients was officially opened in Springs during August. It has 320 beds, and a staff of 190, including 121 African nurses and 12 orderlies. Two European matrons and an African matron are in charge. Another new provincial hospital for Non-Whites is to be built at Natalspruit, Germiston. Various missions, too, have been extending their health services; the Dutch Reformed Church, for example, has recently built a general
hospital, including a tuberculosis centre, at Sibasa, and is planning the establishment of nine more tuberculosis centres for Africans in the Transvaal. The Cape Provincial Administration plans to build two large hospitals for Africans, at King William's Town and Umtata respectively. A programme of research into the design of hospital buildings, sponsored by the Union Health Department and the four Provincial Administrations, is being undertaken by the National Building Research Institute. The first product is a maternity home for Africans, near Pretoria.

Baragwanath Hospital, which caters for Non-White patients in Johannesburg, celebrated its tenth anniversary during May 1958. In this period it has grown to an institution with 1,640 beds, in 46 wards, and will soon have 740 more beds. It treats about half a million patients a year, and employs 162 full-time doctors, 16 of them Non-White and half of them specialists, and 25 White and 841 Non-White nurses, 230 of whom are qualified. The hospital has provided a training ground for many doctors and nurses now employed elsewhere.

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The nursing staff employed preceding table is: Trained nurses

WHITE STAFF and midwives

State institutions ...... 943 Provincial hospitals

Cape .......... 1,620

Orange Free State 192 Transvaal ...... 1,394 Natal ............ 720

Subsidized hospitals

Cape .......... 174

Orange Free State 84 Transvaal ...... ?

Natal .......... 99

Totals ...... 5,226

Trained nurses

NON-WHITE STAFF and midwives State institutions ...... 129 Provincial hospitals

Cape .......... 358

Orange Free State 42 Transvaal ...... 584 Natal ............ 624

Subsidized hospitals

Cape .......... 60

Orange Free State 13 Transvaal ...... ?

Natal .......... 114

Totals ...... 1,924

209

at the hospitals listed in the

Nurse-aides

989

51

735 111 125

2,011

Nurse-aides
The figures for subsidized hospitals in the Transvaal are not available, and are, thus, not included in the totals.

The State Department of Health employs, inter alia, 90 fulltime and 388 part-time district surgeons, and 47 medical officers and 3 dentists serving at health centres. It has set aside, for the 1958-59 financial year, £260,000 for medical expenses in connection with poor relief, £14,000 for the maintenance of mental patients outside institutions and their dependants, £55,650 for the maintenance outside Government institutions of indigent leper patients and their dependants, £5,000 towards the investigation and treatment of causes of blindness among Africans, £5,000 as a grant-in-aid to the National Society of Mental Health, and further sums as grants-in-aid to Red Cross Societies and other voluntary bodies.**

**TRANSVAAL HOSPITALS ORDINANCE, No. 14 OF 1958**

In terms of the Transvaal Hospitals Ordinance of 29 August 1958, hospital patients are to be classified as follows:

(a) full-paying patients, whose fees are payable under the Workmen's Compensation Act, the Motor Vehicle Insurance Act, the law dealing with infectious diseases, etc., or by the employer in the cases of members of the armed forces or Native labourers as defined in the Native Labour Regulation Act of 1911;

(b) private patients, whose incomes exceed a certain limit. These
patients cannot be treated as outpatients, nor by medical practitioners in the service of the hospital, except in emergencies. Private practitioners must obtain the written permission of the Director of Hospitals to treat private in-patients; (c) and (d) part-paying and free patients, who may receive outpatient services, and
who, while in-patients, may be treated only by practitioners in the service of the hospital. A private patient can upon application be reclassified if his medical expenses amount to more than 5 per cent of his computed income. Administrator's Notice No. 638, gazetted on the same date, sets out the income-limits for private, part-paying and free patients, the scale of fees chargeable, and the formula for determining a patient's income. This formula is a complicated one. To the cash income plus all benefits, before any deductions are made, is added the income of all his dependants, plus the cash value of any income in kind calculated according to a set scale. Deductions are then made for each dependant, of different amounts depending on whether in-patient or out-patient treatment is required, and on the racial group of the person concerned. When the annual income has been calculated in this way, the following scale is applied to determine into what class the patient falls:

<table>
<thead>
<tr>
<th>Class</th>
<th>White in-patients</th>
<th>Non-White in-patients</th>
<th>White out-patients</th>
<th>Non-White out-patients</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part paying</td>
<td>up to £300</td>
<td>up to £150</td>
<td>up to £150</td>
<td>up to £75</td>
</tr>
<tr>
<td>Private</td>
<td>£300 - £550</td>
<td>£150 - £275</td>
<td>£150 - £400</td>
<td>£75 - £200</td>
</tr>
<tr>
<td>Free patients</td>
<td>£550</td>
<td>Over £275</td>
<td>Over £400</td>
<td>Over £200</td>
</tr>
</tbody>
</table>


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The effect is that White persons in the lower income groups receive preferential treatment over Non-Whites with the same incomes. A man with an income of £276 a year, for example, would be considered to be a free in-patient if he was White, but a private patient if he was Non-White. To some extent this effect is counteracted by the scale of fees to be charged for hospital accommodation, food, nursing services, drugs and use of the operating theatre, which are higher for White persons than for Non-Whites. But even allowing for this, White in-patients receive preferential treatment on the £150 to £300 income level.

TUBERCULOSIS
In the Senate on 20 and 21 August 1958(2), the Minister of Health said that between 1954 and 1956 the tuberculosis mortality figures dropped considerably. They were, per 1,000 of the population:

<table>
<thead>
<tr>
<th>Year</th>
<th>White</th>
<th>Coloured</th>
<th>African</th>
</tr>
</thead>
<tbody>
<tr>
<td>1954</td>
<td>9.3</td>
<td>218.2</td>
<td>25.3</td>
</tr>
<tr>
<td>1956</td>
<td>4.3</td>
<td>58.8</td>
<td>9.0</td>
</tr>
</tbody>
</table>
There were 159 institutions making full or partial provision for the accommodation of tuberculosis patients; 228 centres offering facilities for chest X-rays, 19 mobile X-ray units, and 150 outpatient schemes with more than 400 sub-clinics run by local authorities with the aid of State subsidies. Subsidies were also made available to the 48 local authorities that provided supplementary feeding schemes, while B.C.G. vaccine was supplied free to all local authorities conducting inoculation campaigns.

Through its medical aid society, the Transvaal Clothing Industry has arranged for all the 20,000 workers in the industry to be screened and tested for tuberculosis. The society has guaranteed that workers found to be suffering from the disease will not suffer financially in any way while undergoing treatment, and that on return to health they will be placed in employment.

**EYE DISEASES AND BLINDNESS**

The campaign against trachoma amongst Africans in the Northern Transvaal, sponsored by the Bureau for the Prevention of Blindness of the National Council for the Blind, has been continued during the year under review. A team of ten ophthalmic surgeons, assisted by African nurses, is touring the area, using antibiotics donated by distributors and pharmacists. A specially-equipped mobile unit is used for major surgical operations in the field.

Braille systems for the five main Bantu languages have now been completed, after seven years' work by the Braille Education Society.

(2) Hansard 3 cols. 635-6, 728.

**MENTAL HEALTH**

According to the latest annual report of the Commissioner for Mental Hygiene for 1956, there continues to be very serious overcrowding at mental hospitals and institutions for the feebleminded. The Minister of Health said during August that a large new hospital was being erected at Stikland, and additions were being made to hospitals at various other places.

At the annual general meeting of the S.A. National Council for Mental Health, held during October, valuable papers were presented by Dr. B. Wolfowitz on "The Development of Psychiatric Therapy", and by Dr. H. Moross on recent international conferences in Vienna, Barcelona and Rome.

**OTHER DISEASES**

In the speech quoted above the Minister of Health said that since the introduction in 1947 of the sulphone treatment, the incidence of leprosy had been reduced to 0.14 cases per 1,000 of the population. It had been possible to close one of the five leper hospitals, and partially to transform two others into tuberculosis hospitals.

There were still parts of the country where malaria was endemic or still found, the Minister continued. His Department was attempting to eradicate the surviving causes of infection by treating the parasite carriers with the substance known as
chloroquin. Bilharzia was still spreading: research work in this connection was in progress.

FOOD SUBSIDIES
According to the Report of the Controller and Auditor-General for 1956-57(3), the following food subsidies were paid during that year:

Department of Agriculture £
Reduced railway rates on maize, manure and fertilizer and (under drought relief scheme) fodder and livestock ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... 2,898,585
To farmers for construction of silos, etc .............. 1,367
Fertilizers ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... 929,012
Butter and butter-fat ..................................... 1,333,153
Wheat, and stabilization of the price of bread ...... 7,539,726 Maize ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... 4,375,468

(3) U.G. 52/1957.
(4) Senate, 21 August 1958, Hansard 3 col. 730.
(5) Cols. 633.4, 733.

Department of Nutrition
Cost and distribution of milk and milk powder to preschool children .............
... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... 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Some of the pensions and grants paid in 1956-57 are listed in Annexure IV. Full details are not available in respect of all of these; but it transpires that old age and blind pensions and disability grants were paid to 97,624 Whites, 60,123 Coloured persons and Asians, and 282,182 Africans. Average annual amounts paid per head were £116 8s. 3d., £41 5s. 7d., and £13 18s. 9d. respectively.  
(7) Col. 732. 
RELATIONS: 1957-58  
213  
W Cc A,  
M  
M  
A SURVEY OF RACE  
Further information about maximum pensions and the means test, in the case of old age pensions, is as follows:(1)  
<table>
<thead>
<tr>
<th>Maximum free income per annum</th>
<th>Maximum pension per annum</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Large towns</td>
<td>Rural areas</td>
<td>Large towns</td>
</tr>
<tr>
<td>Whites</td>
<td>£90</td>
<td>£84</td>
</tr>
<tr>
<td>Coloured</td>
<td>£45</td>
<td>£39</td>
</tr>
<tr>
<td>Asians</td>
<td>£36</td>
<td>£30</td>
</tr>
</tbody>
</table>

The following is the position in the case of Africans:(2)  
<table>
<thead>
<tr>
<th>Large towns</th>
<th>Small country towns</th>
<th>Rural areas</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum free income</td>
<td>£12</td>
<td>£9</td>
<td>£6</td>
</tr>
<tr>
<td>Maximum pension</td>
<td>£20%</td>
<td>£17</td>
<td>£14</td>
</tr>
</tbody>
</table>

As can be seen in Annexure IV, between 23 and 34 per cent of the Whites in receipt of old age or blind pensions or disability grants received pensions at the maximum rates. Equivalent figures for other groups were 30-35 per cent for Coloured people, 65-66 per cent for Asians, and about 90 per cent for Africans.  
In reply to questions asked in the Senate on 31 January 1958(8) the Minister of Labour (for the Minister of Native Affairs) described the conditions, other than a means test, that must be satisfied by Africans in order to qualify for old age pensions. The minimum age is 65 for men and 60 for women. If applicants are Union citizens they must be domiciled in the Union and resident there. If they are British subjects, they must have been so for at least five years, and ordinarily resident in the Union for 15 out of the past 20 years. If they are aliens, or British subjects of less than five years' standing, they must have been ordinarily resident within the Union for the past 25 years.  
In addition, the ability of the applicant's spouse to contribute towards his or her support is taken into account, and also the ability and opportunities of the applicant to support himself or herself, partially or wholly. No pension is payable to any African who is compulsorily detained at public expense in a State institution.
Every new application for a social pension must carry the identity number of the applicant; and as from 1 January 1959, every pensioner will be required, if asked, to produce his identity card, or failing this, his number.

A great deal of information on pensions, grants and subsidies to be paid during the financial year 1958-59 can be extracted from the Estimates of Expenditure to be Defrayed from Revenue Account, U.G. 1/1958. This is summarized very briefly below. Expenditure on state institutions, the costs of administering pensions, and subsidies for health, educational and recreational purposes are not included.

(1) Information from Department of Pensions, Pretoria.
(2) Information from Secretary for Native Affairs, Letter 86/349 (226) of 5 September 1958.
(3) Hansard 1 cols. 376-7.

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RELATIONS: 1957-58
PENSIONS AND GRANTS
Department
Pensions-Various pensions and grants to Whites, Coloured and Asians ......................
Social Welfare-Child maintenance and family allowances for Whites ..............
Coloured Affairs-Child maintenance and family allowances for Coloured ..............
Native Affairs-Old age, blind, disability pensions and grants, and grants to ex-soldiers ...........
Labour-Rehabilitation services, confinement allowances, workmen's compensation, unemployment insurance ..........................................................
Posts and Telegraphs-Workmen's compensation ...
£29,438,400
1,141,000
318,970
4,064,000 1,539,70
11,000
Total .......... £36,513,070

SPECIAL RELIEF
Department
Social Welfare-Emergency relief ............
Coloured Affairs-Special grants-in-aid ............
Native Affairs-Relief of distress ............
Water Affairs-Flood relief ............
Interior-Relief of distressed South African citizens overseas ..................................
Total ...

SUBSIDIES
Department
Social Welfare

Coloured Affairs—Children's institutions, social centres, care of aged and infirm

Native Affairs—Workers' hostels and settlements for aged and infirm

Labour—Subsidies on wages of handicapped persons and for sheltered employment

Justice—Prisoners' Friends and Legal Aid Bureaux

Mines—Pneumoconiosis relief

Defence—Red Cross, St. John's, Noodhulpliga, Scouts, Voortrekkers, etc

£82,100
3,000
2,000
£123,200
£985,315
93,800
1,200
655,000
10,050
580,055
10,500
Total £2,335,920

The combined amount is £38,972,190.

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A SURVEY OF RACE

CONTROL OF ORGANIZATIONS AND SITING OF INSTITUTIONS FOR AFRICANS

The terms of the circular letter sent by the Native Affairs Department in April 1957 to all local authorities and to welfare organizations that are conducting projects for Africans were set out in the previous issue of this Survey. In this connection, the Reef Riots Commission stated, “The (Johannesburg) City Council makes grants-in-aid to a large number of voluntary welfare associations, and many of these are controlled by committees or boards upon which Europeans sit. There was evidence from more than one Native witness that the work of Europeans in this direction was welcomed and appreciated by the Natives associated with them . . . In our view the Natives in the municipal area have not as yet reached a stage of development at which it is possible for them to dispense with European guidance and assistance in the day-to-day running of associations of this nature, and the proposed separation of Natives from Europeans in their governing bodies will not conduce to efficiency, and may in fact lead to inefficiency and waste of money. In addition, it breaks a form of contact between Europeans and Non-Europeans which it appears to us to be desirable to retain, and which is in the highest degree unlikely to lead to any undesirable consequences”.

Many existing institutions for Africans are in areas which under the Group Areas Act have been zoned for Whites. Examples are institutions for blind Africans at Roodepoort, Durban, Port Elizabeth and Kimberley, the Kutlwanong institution at Roodepoort for deaf children, the Margaret Ballinger Home near Roodepoort for
crippled and convalescent children, and the Bridgman Memorial Hospital in Johannesburg. The controlling committees have been informed by the Native Affairs Department that these institutions are wrongly sited and cannot be extended. Their removal to an African rural area must be considered as soon as practicable. CARE OF AFRICAN CRIPPLES
The National Council of African Women has formed a Witwatersrand Welfare Committee which is training crippled beggars in various trades, and hopes eventually to place them in employment.

RECREATION
YOUTH CLUBS
A Southern African Association of Youth Clubs has been formed, which incorporates the Transvaal Association of Boys' Clubs.

(4) Page 36.
(5) Chapter V pages 57-8 of Report.

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RELATIONS: 1957-58
FIELD SPORTS
It was reported in an earlier edition of this Survey(4) that the Soccer Federation of Southern Africa (S.F.S.A.), incorporating the Indian, Coloured and African Football Associations, had applied for international recognition to the Federation of International Football Associations (F.I.F.A.). If this application had been granted it would have meant the exclusion of the (White) Football Association of South Africa (F.A.S.A.). Although the White Association has on a number of occasions invited the Non-White body to affiliate without voting powers, this offer has not proved acceptable. It has offered to assist Non-White soccer in every possible way; but has stated that it cannot alter the Government's decision in regard to apartheid in sports(5). S.F.S.A.'s ambition to send at least one delegate to attend a meeting of F.I.F.A. held in Stockholm during June 1958 was frustrated because its nominees were not granted passports. It, thus, appointed an overseas spokesman. At the F.I.F.A. meeting, the Chairman reported that the Executive Council had heard representations from both S.F.S.A. and F.A.S.A., and had decided by majority vote that the latter had not failed in its duty to the Non-White players. S.F.S.A.'s application for international recognition was then put to the vote: no count was taken, but it appeared that well over half of the countries represented abstained from voting, about 20 voted against the application, and only three or four supported it. S.F.S.A. later issued a Press statement(5) to the effect that the refusal of full status by F.I.F.A. was preferable to the acceptance of a subservient associate membership through F.A.S.A., and that it would continue its fight for international recognition.

During August 1957, the S.A. Amateur Weightlifting Association (which has a non-racial constitution but is Non-White at present) applied for membership of the British Empire and Commonwealth Games Federation (B.E.C.G.F.), in order to allow its representatives to participate in the 1958 Empire Games at Cardiff.
This application was referred to the S.A. Olympic and Commonwealth Games Association (S.A.O.C.G.A.), as an internal matter for the two bodies to settle. When the Executive Committee of the S.A.O.C.G.A. met during December 1957, it discussed the question of the affiliation of Non-White to White sporting bodies, but reached no conclusion. Shortly thereafter, the Secretary of B.E.C.G.F. announced that Non-Whites from South Africa would not have the right to compete until they were affiliated to the international federations controlling their particular sport. During the Empire Games in July, an attack, which received little support, was made on South Africa's colour-bar in sport.

(1) 1955-56, page 226.
(2) Ibid., page 227.
(3) Rand Daily Mail, 7 June 1958.

A SURVEY OF RACE
An African soccer team, together with representatives of the S.A. Amateur Bantu Athletic Association, made a two-weeks' tour of Northern Rhodesia during May. In August and September a Non-White cricket team, with seven Coloured, three Malay, three Indian and two African members, toured East Africa.

AFRICAN AUTOMOBILE CLUB
An African Automobile Club for Non-White motorists, established in Pretoria during January, has now opened branches in other towns. It maintains a driving school, and its members are entitled to route maps, road and weather reports, and the usual breakdown, legal advice and insurance schemes.

THE ARTS
After more than seven years' work, the entire Bible has now been translated into Zulu. The first monthly magazine in Tswana, entitled Udwang, was launched in July. Mr. Arthur Fula of Johannesburg has written a second novel in Afrikaans, Met Erbarming 0 Here, which deals with the life of urban Africans.

Mr. Selbourne Mvusi, a painter, sculptor and art teacher from Durban, has been granted a scholarship for study at the Pennsylvania State University. A successful exhibition of paintings was held in Johannesburg during April by the Indian painter, Zainabe Reddi.

Mr. Johaar Mosavel, a Coloured ballet dancer from Cape Town, made his début as a soloist with the Royal Ballet Company at Covent Garden in January. The well-known South African dancer David Poole, who has returned to the Union with the ambition of founding a school of indigenous dancing, produced five ballets which were presented by the Eoan Group in Cape Town during February. The Coon Carnival Show made a successful tour of East Africa in August.

An operetta entitled "The Cape Malay Bride", and two short choral works, "Bantu Magic" and "Dark Daphnis", were produced in Johannesburg in January, the lyrics being written by Mrs. Natalie Faivelsohn and the music by Mr. E. Domingo and Mr. Gideon Nxumalo.

Discussions have been held between representatives of the Arts Federation, the Union of Southern African Artists and the Association of Theatre Managements, with a view to the provision of regular theatrical performances for Non-White audiences.
In 1953 the Department of Coloured Affairs took over from the Department of Education, Arts and Science the administration of subsidies for Coloured cultural and sporting activities. One of the conditions of the subsidies has for long been that performances should not be given to mixed audiences, but until recently it has not been enforced. Early in 1958 the Eoan Group decided to forego its annual subsidy rather than comply with this condition.

RELATIONS: 1957-58
JUSTICE
CRIMINAL PROCEDURE AMENDMENT ACT, No. 9 OF 1958
The Criminal Procedure Amendment Act of 1958 contains three important provisions:
1. The Supreme Court is empowered to pass the death sentence in cases of robbery or attempted robbery if the accused is proved to have inflicted or threatened to inflict grievous bodily harm, and also in cases of housebreaking or attempted housebreaking if the accused is proved to have carried a dangerous weapon, or to have committed or threatened assault.
2. In certain cases where a person is sentenced to imprisonment without the option of a fine for serious crimes such as rape, robbery, housebreaking, theft of a motor vehicle or being in receipt of stolen property, after he has served his prison sentence the Minister of Justice may prohibit him from being within any specified area for any stated period of time.
3. If any document found on the premises of an association, or in the possession of one of its office-bearers or members, is produced by the public prosecutor in any criminal proceedings, and the Court is convinced by evidence that it was so found, then the mere production of the document will be prima facie proof:
   (a) if a name corresponding to the name of an accused person appears on the document as its author, or as a member of the association concerned, that he is the author or is a member;
   (b) if the document is on the face of it the minutes of the association, that it is the minutes;
   (c) if the document discloses any of the objects of the association, that these are among its objects.
This section was made retrospective, thus may be invoked in cases concerned with acts or events which took place prior to the passing of the Amendment Act. Members of the Opposition said(1) that this meant that the accused would not be given the benefit of any doubt that might exist. Furthermore, a hostile person could easily plant false evidence, for example a document stating that a man was a member of a certain association. It might be extremely difficult for him to prove that he was not such a member. The onus of proof should remain with those who prosecute, the Opposition maintained. CRIMINAL LAW AMENDMENT BILL
A revised version of the Criminal Law Amendment Bill of 1957 was published in 1958, but was not proceeded with in Parliament during the year under review. The clauses of the original

(1) e.g. Mr. L. Lovell, Assembly, Hanard 3, 5 February 1958, cols. 929-30.

Bill dealing with periodical imprisonment and with imprisonment for corrective training and for the prevention of crime were retained; but the clause providing for the elimination of short-term sentences of under 30 days was dropped. The object of this clause was to keep petty offenders out of gaol; but it might not have succeeded in achieving this object. In an article published in Penal Reform News for July 1958 it was pointed out that for over forty years there has been legal machinery for keeping trivial offenders out of gaol: by payment of fines by warrant or in instalments, or by suspension of payment. But, with few exceptions, the lower courts have not made use of this machinery, because of the additional time and effort involved in enquiring into an accused's financial position, in the recovery of fines at a later stage, and in tracing offenders who fail to pay the instalments due. The police, not without justification, claim that they have their hands sufficiently full without having to accompany everyone they arrest to his home to enable him to fetch the money necessary to pay a fine. As few carry sufficient money on them, arrest has in most cases automatically meant imprisonment.

A provision should be added to the Bill (the original version), the article stated, to ensure that trivial offenders are given time within which to pay their fines; for otherwise the prison authorities would be saddled with the responsibility of caring for some 140,000 persons annually who, instead of spending seven to fourteen days in gaol, would receive minimum sentences of thirty days. This difficulty was met in another way in the revised version of the Bill. It provides (Clause 23) that if a peace officer has reasonable grounds for believing that an inferior court will, on convicting any person of any offence, impose a sentence of a fine not exceeding £15, instead of arresting such person he may issue him with a summons calling upon him to appear at a stated time and place to answer the charge.

At present only clerks of court can issue summonses, and when they are not readily available the police have no option but to make arrests. This new provision, if it becomes law and is widely utilized, could keep petty offenders out of gaol while they are awaiting trial, and could give them the opportunity of finding the money necessary to pay the fines that may be imposed.

PRIVATE BILL TO AMEND THE CRIMINAL PROCEDURE ACT

Section 111 (h) of the Criminal Procedure Act reads, "When a person committed for trial is, or two or more persons jointly committed for trial are, to be tried by a provincial or local division of the Supreme Court upon an indictment charging him or them with having committed or attempted to commit an offence towards or in connection with a Non-European if the accused or any of

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A SURVEY OF RACE
the accused is a European, or towards or in connection with a European, if the accused or any of the accused is a Non-European, or with such an offence together with any other offence, the Minister may, by a notification on or attached to the notice of trial, direct that the trial take place before a judge without a jury".

The Minister has not always used this power. There was, for example, a case in 1954 in which a European farmer from Rustenburg, together with his son and two of his African labourers, was charged with murdering an African who had been hired out from prison to work on the farm. A joint trial by jury was held. Medical testimony differed about the direct cause of death, but it was proved beyond doubt that the prisoner had been beaten by the farmer and on his orders. To the expressed surprise of the judge, a majority of the jury found that a verdict of common assault would meet the ends of justice.

Senator Leslie Rubin introduced a Private Member's Bill, which was not proceeded with during the 1958 Sessions of Parliament, to do away with the Minister's discretion, making trial before a judge without a jury compulsory in all cases of the type mentioned in Section 111 (h).

PETTY AFRICAN OFFENDERS SENT TO WORK ON FARMS

Africans who are arrested for remaining illegally in an urban or proclaimed area for longer than 72 hours without permission are taken by the police to the District Labour Bureau, where they are offered work outside the proclaimed area (usually on farms) for periods of up to three months. Interpreters are provided, and officials make every effort to ensure that the Africans understand the position and agree voluntarily to undertake farm labour.

Misunderstandings do occur, however. The case of Nelson Langa was described in the previous issue of this Survey. His release from the farm to which he had been sent was ordered by the Supreme Court, and during March 1958 he was awarded costs. In April Joseph Marema, who was in employment in Johannesburg, lost his reference book and was arrested before he could obtain a duplicate. He was sent to work for a month on a farm at Standerton, and had no means of letting his employer know of his plight. During the month that he was away his wife, family and friends were totally ignorant of his whereabouts.

USE OF AFRICAN PRISON LABOUR ON FARMS

There are three schemes whereby a farmer may recruit prison labour for work on his farm. Firstly, he may interview Africans who are serving sentences in lieu of payment of fines, and, should he find a man who is willing to enter his employment at current rates of pay, may apply for suspension of the sentence on condition that the prisoner remains in his employment for the unexpired portion of his sentence or until he has earned enough to pay the fine. Secondly, a prisoner serving a sentence of three months or less may, if he is willing, be released on
probation and enter into an approved contract to work for a farmer for the unexpired portion of his sentence at a wage of not less than 9d. a day. And thirdly, a first offender serving a sentence of from one to two years may be invited after completion of half of his sentence to work for a farmer for the remaining portion at locally prevailing wage rates.

In the Senate on 22 August 1958(6) the Minister of Labour said that if the conditions of release are not complied with by the farmer, a prisoner is entitled to terminate his service, and should report to the nearest prison institution or police station.

The Minister continued, "The prisoner is a free agent while on parole during the currency of his period of employment on the farm, and, as the farmer is under no obligation to guard him, he consequently has no right either to deprive the prisoner of his liberty by the use of any form of restraint of movement, e.g. by locking him up, or to use force to prevent him from leaving his service. Accommodation, food supplied and working conditions generally are periodically inspected by officers of the Department of Prisons. Any form of ill-treatment is not tolerated and if complaints of maltreatment are substantiated the charge is referred to the local public prosecutor and all prison labour is summarily withdrawn from the farmer concerned. On completion of the contract period, the paroled prisoner is returned to gaol, where he is questioned regarding his treatment generally whilst on the farm, is medically examined, and paid the wages which had been deposited with the gaol authorities in advance by the farmer".

The assumption is that the majority of the farmers who make use of prison labour comply with the conditions of the prisoners' release; but complaints of ill-treatment are still made from time to time. Questions were asked in the Senate on 19 August 1958 about one such case(7). It appeared that Mr. S. P. Lategan and his manager, Mr. J. A. Gerber, who both held appointments as special warders, had assaulted a convict named Pypers. The matter was referred to the public prosecutor, and on conviction Lategan was sentenced to a fine of £10 or two weeks' imprisonment, and Gerber to £5 or a week's imprisonment.

A far more serious case was reported in the Press during August and September, 1958. Thirty-two Africans had been sent from the pass office to the farm of Mr. C. L. S. Botha in the Heidelberg area, and following alleged ill-treatment and thrashings, decided to leave and report back to the authorities. As they walked along the road a van overtook them, warning shots were fired, and they were rounded up and taken back to the farm, where they were cruelly beaten. Botha was later found guilty of assault with intent to do grievous bodily harm, and was sentenced to 4- years' imprisonment and seven strokes with a cane. Two of his White and seven of his African staff received lesser sentences for participating in the assaults.

(5) See report by Dr. A. W. Hoernl, op cit.
(6) Hansard 3 col. 743.
(7) Hansard 3 cols. 531-2.
G. A. E. Jacobs was sentenced to four years' imprisonment with compulsory labour during March, for thrashing a herd-boy (apparently not a prisoner) who subsequently died. The judge said(8) that the newspapers were full of cases where violence had been used against African labourers on farms, and such cases were too common on the highveld. It was time that a halt was called.

**CRIMINAL STATISTICS**

The following table has been worked out from preliminary figures for 1956 published in the Bulletin of Statistics for September 1958.

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Coloured</th>
<th>Asians</th>
<th>Africans</th>
<th>All races</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of convictions:</td>
<td>173,899</td>
<td>157,755</td>
<td>31,182</td>
<td>1,129,923</td>
<td>1,492,759</td>
</tr>
<tr>
<td>Convictions expressed as percentages of the population:</td>
<td>5.9%</td>
<td>12.3%</td>
<td>7.4%</td>
<td>19.1%</td>
<td>10.7%</td>
</tr>
</tbody>
</table>

Percentages of total number of convictions that were for:

<table>
<thead>
<tr>
<th>Offence</th>
<th>White</th>
<th>Coloured</th>
<th>Asians</th>
<th>Africans</th>
<th>All races</th>
</tr>
</thead>
<tbody>
<tr>
<td>Serious crime</td>
<td>6.4%</td>
<td>7.8%</td>
<td>4.7%</td>
<td>5.3%</td>
<td></td>
</tr>
<tr>
<td>Drunkenness</td>
<td>7.3%</td>
<td>28.0%</td>
<td>6.5%</td>
<td>3.5%</td>
<td>6.6%</td>
</tr>
<tr>
<td>Other liquor offences</td>
<td>2.0%</td>
<td>11.4%</td>
<td>4.5%</td>
<td>20.2%</td>
<td>16.9%</td>
</tr>
<tr>
<td>Assault</td>
<td>2.5%</td>
<td></td>
<td>8.3%</td>
<td>4.2%</td>
<td>5.3%</td>
</tr>
<tr>
<td>Theft</td>
<td>2.8%</td>
<td>9.7%</td>
<td>3.2%</td>
<td>5.2%</td>
<td>5.4%</td>
</tr>
</tbody>
</table>

As this table shows, the number of convictions of Africans was nearly one-fifth of the number of Africans in the population (the same persons may, of course, have been convicted more than once during the year). Drunkenness was a far less common offence amongst Africans than it was amongst Coloured people; but a high proportion of the convictions of Africans was in respect of other liquor offences, mainly illegal possession of liquor.

It is impossible to calculate, from the tables in the Bulletin of Statistics, how many of the convictions of Africans were for offences against the pass laws and related regulations. Some light was thrown on this subject by the Minister of Justice, however, when on 28 January 1958 he furnished the Assembly with lists of cases sent for trial in 1956 and 1957(9). He said, inter alia, that 174,392 cases were sent for trial during 1957 for offences against curfew regulations, the pass laws, and regulations for the registration and production of documents by Africans. There were a further 52,631 cases sent for trial for offences against the Natives (Urban Areas) Consolidation Act, a considerable proportion of these

(9) Hansard 2 cols. 341-3.

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undoubtedly being offences against influx control regulations. The Minister did not state the racial group of the accused; but most of them would be Africans. These figures would work out at well over 500 trials per day for every day of the year. But it must also be remembered that those who pay admission of guilt or accept work on farms as an alternative to prosecution possibly outnumber those who appear in court. It would, then, probably be no exaggeration to say that on average, 1,000 Africans are arrested per day in the Union, every day of the year, for pass law and related offences.
In reply to a question in the Senate on 21 July, the Minister of Justice said(1') that during the year ended 30 June 1957, there were 530 Whites and 13,256 Africans who received corporal punishment pursuant to a criminal sentence, the total number of strokes inflicted being 2,691 and 65,198 respectively.

THE SUPPLY OF LIQUOR TO AFRICANS

In an interim report issued during September 1958 the Commission of Inquiry into the Liquor Laws recommended the establishment of refreshment centres, strictly controlled by municipal authorities, at which light wines and beer would be sold to Africans, the profit margin being kept as low as possible, and all profits being used to improve the amenities available in the African townships. The Commission stated it had been told that one-third, or even two-fifths, of the hard liquor manufactured in South Africa finds its way into the black market amongst Africans. It recommended that a new form of control, other than total prohibition, should be devised.

The Moderator of the Nederduitse Gereformeerde Kerk urged the authorities to consider the consequences very seriously before giving effect to these recommendations(11). The Dutch Reformed mission churches were strongly opposed to any extension of liquor privileges, he said. But the S.A. Agricultural Union decided by majority vote at its meeting in October that it was in favour of the controlled supply of liquor to Africans.

CRIME IN AFRICAN TOWNSHIPS OF THE REEF

It was shown in the table in the previous section of this chapter that only 4.7 per cent of the total number of convictions of Africans in 1956 were for serious crime, equivalent figures for other groups being 6.4 per cent in the case of Whites, and 7.8 per cent for Coloured and Asians. The fact that the percentage is the lowest in the case of Africans cannot be regarded as indicating that there is a low incidence of serious crime among their ranks, but merely that hundreds of thousands of them are arrested each year for minor infringements of laws and regulations that apply to Africans only.

(10) Hansard 1 cols. 197-8.

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The police have made strenuous efforts to deal with the grave state of lawlessness that prevails in most of the urban African townships of the Reef. The situation has been particularly bad in Alexandra Township, where two rival gangs, the Spilers and the Msomis, fought for supremacy. Both preyed on the people, demanding "protection money" - for protection against themselves as well as their rivals - and terrorized those who refused to pay or were suspected of sympathizing with the opposition gang or of informing the police. Robberies, stabbings and murders were common, especially at week-ends, and the residents were terrified to venture from their homes after dark. During February and March the police succeeded in arresting many of the gang leaders: their warfare subsequently continued even in prison.

In spite of the efforts of the police, tsotsis and other gangsters continue to harass African residents of the townships, mingling with people travelling on or alighting...
from trains or buses and, at the point of a knife, demanding pay-packets; and
assaulting those who are suspected of informing against them. The Manager of
the Putco bus service is reported to have said that gangsterism and robbery are
rife in African townships, bus drivers and passengers being particularly
victimized. The corporation has done everything possible within the limits of the
law, with little relief. "We cannot employ a small army of policemen", he said,
"as, apart from the cost, we would be usurping the powers of the S.A. Police".
The Johannesburg Riots Commission discussed this whole situation at length(3).
It dealt with the socio-economic causes of lawlessness: poverty, making it
necessary for a large proportion of mothers to work; insufficient school
accommodation, recreation facilities or provision for vocational training; the lack
of machinery for placing youths in employment; and a noticeable weakening of
filial discipline, resulting in many cases in a complete breakdown of parental
authority. There was abundant evidence, the Commission stated, that the police
force available had been unable to cope with the gangs which infested the
townships. Their numbers were insufficient, they carried out no foot patrols at
night, and they spent a disproportionate amount of time and energy upon such
matters as liquor raids and pass inspections.
The Commission described the tendency among Africans to be unwilling to co-
operate with the police, the main reason being the fear of reprisals by the
criminals concerned or their associates, there being no guarantee of police
protection of the informants. A contributory cause, the Commission said, was the
existence of a definite attitude of hostility on the part of the inhabitants towards
the S.A. Police, due to the nature of the duties the police were called
(13) Chapter V of Report,

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upon to perform, and also to the harsh and contemptuous conduct of some of the
more recently recruited policemen - there was no complaint against commissioned
officers, the Commission stressed.
It urged that, when intervening in clashes, the police should use tear-gas before
resorting to fire-arms, and that in threatening situations, such as the one that
developed in Johannesburg in September 1957, they should heed warnings and
should intervene before rioting occurred, by disarming gangsters and raiding the
places where weapons were being made.
In a statement issued in April 1958("), the Institute of Race Relations (Southern
Transvaal Region) supported the Commission's remarks and requested the City
Council to make urgent representations to the police authorities in an endeavour
to provide adequate protection of life and property in the townships. "Emphasis
should at the same time be laid", the Institute said, "on the necessity for the police
to make every effort to win the co-operation of lawabiding inhabitants of the
area".
Regional Committees of the Institute of Race Relations in Durban and other cities
have been investigating the extent of crime in the African townships of their
areas.
CIVIC GUARDS
The Riots Commission wrote("), "There were frequent references, more especially by the Native witnesses, to the protection that would be afforded to the law-abiding element in the townships by the use of Native civic guards, but on the evidence as a whole it is clear to us that it would be out of the question to use these guards unless they were under the strict control of the police and discharged their duties only under the supervision of a member or members of the force. With these safeguards, the desire testified to by a number of witnesses, on the part of the law-abiding inhabitants of the townships, to assist in this way in the enforcement of law and order, could well be given effect, not only in such enforcement but also in improving the unsatisfactory relations between the police and inhabitants.

"Some step in this direction or a greatly augmented police force, with adequate patrolling of the streets (whether by members of the force or civic guards under supervision) appears to us to be essential to prevent or lessen the dangerous conditions now prevailing".

Twelve Africans of Orlando were during July 1958 found guilty of forming a civic guard there without the permission of the authorities. They were cautioned and discharged. The magistrate is reported(6) to have said he was satisfied that they had acted solely for the benefit of their fellow-residents. Their action was (14) RR 71/58.

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worthy of some praise. "I have been in Johannesburg many years", the magistrate said, "and I know what is happening in the locations. You are well-respected people who want to live in peace and safety. Sometimes you lose hope and decide to take action. But, unfortunately, you acted without authority". The residents of Munsieville Township in Krugersdorp applied during August for permission to form a civic guard, but the police opposed the move( 7).

Africans at Jabavu, Johannesburg, have formed a parents' association, now registered as a welfare organization, which, inter alia, attempts to find work for juveniles and gives advice to parents. The Johannesburg Municipality has created a mobile patrol of municipal policemen which rounds up young Africans found gambling or idling in the streets. They are taken to the Superintendent's office, their parents, if any, are sent for, and efforts are made to place the youths in employment.

TREATMENT OF JUVENILE AFRICAN OFFENDERS

The only reformatory in the Union for male African juvenile delinquents is Diepkloof Reformatory, which is situated on the outskirts of Johannesburg. Originally under the Department of Prisons, it was in 1934 taken over by the Department of Education. While it has accommodation for 800, it has on occasion had up to 845 pupils.

A system of graded privileges with increasing freedom ranging from complete detention in the security block to trial work in employment - has been devised.
Authorities appear to agree that this system has been increasingly successful in rehabilitating juvenile delinquents. There is a day-school from Grade I to Standard VI for boys of between 12 and 15 years of age, and evening classes for the older pupils. On the basis of their education, ability, interest and intelligence, the boys are allocated between the various sections providing practical training, in garment making, cobbling, carpentry, tinsmithing, building, gardening, farming, laundering, cleaning, etc. No difficulty is experienced in placing pupils: on the contrary, employers are anxious to obtain youths discharged from Diepkloof.

It was recorded in earlier issues of this Survey(19) that the Native Affairs Department had established a youth service camp at Elandsdoorn, near Groblersdal in the Transvaal, for the rehabilitation of African lads of the "won't work" type and youths in need of care. In an interview with a Departmental official a representative of the Institute of Race Relations was told that Elandsdoorn was in future to cater for the Pedi group, and three similar institutions were to be established, at Moorfontein (near Lichtenburg in the Transvaal) for the Sotho group, at Vuma Farm for the Zulu group, and at Bekruipkop (near King William's Town) for the Xhosa group. Each would cater for between 200 and 300 boys, who would be committed to the camp after consultation with their parents and social welfare officers, and would be given training, lasting approximately two years, in agriculture. These camps, the Department considered, should be as far away from the urban environment as possible. They would fall under the control of the Bantu authorities, and the staff at each would consist of a superintendent and assistant superintendent (initially Europeans), an African "house-father" and "housemother", an agriculturalist (initially a European), African agricultural demonstrators, and one induna for every 15 youths.

In a statement issued during June 1958(20) the Institute of Race Relations said that it had hailed with great satisfaction the news that three further youth camps were to be set up in an effort to combat the increasingly widespread indiscipline of African children. But, the Institute continued, there had been reports that Diepkloof was to be transferred to the control of the Department of Native Affairs. If this institution and its methods were going to be left intact, the transfer need cause no disquiet. But if it was to be closed and its pupils distributed between Elandsdoorn and the proposed new camps, the Government was urgently requested to reconsider the matter. Firstly, there was already an acute shortage of appropriate institutions for African children in need of care (figures were quoted). Secondly, the hardened offender who was sent to Diepkloof needed a very different type of treatment from the youth who fell foul of influx control regulations or was deemed to be idle. And thirdly, as the Diepkloof pupils were overwhelmingly urban, they were
far more likely to be rehabilitated by means of the training given at that
institution, which was closely related to the employment requirements of the
environment with which the youths were familiar, than if they were if removed to
rural areas and given agricultural training.
In the issue of Penal Reform News for April 1958 it was stated, "Urban
delinquent boys . . . are not so much problem children as they are children of a
problem society. The transfer to a rural set-up and the routine of farm labour will
not provide the strict 'educational' discipline needed for very keen and often
frustrated young minds . . . The programme of work for juveniles of this type
needs to be of such nature that it can capture the mind of urban youth".
The Minister of Education, Arts and Science was questioned about the future of
Diepkloof in the Senate during August, and replied(21), "We hope that within a
comparatively short time, perhaps next year, all the Native children will have
been removed
(20) RR 95/58, op cit.
(21) 19 August 1958, Hansard 3 cols. 600-1.
from Diepkloof. They will be sent to the reformatories which have been placed
under the ethnic groups. Some of these schools have already been established
with very good results . . . As regards the place itself . . - this will probably be
transferred to group areas".
Representatives of the Southern Transvaal Region of the Institute of Race
Relations requested permission to visit Elandsdoom in order to acquaint
themselves with the training there, but such permission was not forthcoming.
Shortly afterwards, a most disquieting report appeared in the Press(2). The father
of a disobedient youth aged 15 had applied to the Native Commissioner to have
the lad committed to an industrial school where he could learn carpentry and be
turned into a useful citizen. After an inquiry he was sent to Elandsdoorn. Two
months afterwards he absconded, was arrested and sent back, and later ran away
again. His father then applied to the Supreme Court, Pretoria, for an order setting
aside the Native Commissioner's order committing him to this institution.
In his petition the boy said that he was never taught carpentry, but had to do field
work at the Elandsdoorn Labour Settlement, and was sent out under licence to
work at various farms. He had been illtreated and flogged, not only by farmers but
also by criminal elements in the camp. He lived on mealie porridge and slept on
the floor in a small room with 14 others.
The father said, "Had I known that he would become an agricultural labourer and
that he would mix with all types of criminal elements I would never have agreed,
in the first place, to the inquiry being held. After his second escape I became
desperate. My child had changed considerably and he was in a state of continual
fear". The Judge-President ordered that the boy be returned to his father's care.
DELINQUENCY AMONGST JUVENILES OF OTHER RACIAL
GROUPS
In the Senate on 15 September 1958(23) the Minister of Social Welfare said that
there had been a gradual rise in juvenile delinquency amongst certain groups of
young people. An interdepartmental advisory committee, consisting of
representatives of the S.A. Police and the Departments of Justice, Education, Social Welfare and Labour had been set up to make a thorough investigation of the problem.

Early in 1958 the Mayor of Johannesburg established a municipal committee on juvenile delinquency, which submitted an interim report during November. It recommended, inter alia, that a grant be made to enable the Johannesburg Youth Council to set up a bureau where young people could discuss their problems; that (22) Star, 9 September 1958.

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street welfare officers be appointed to introduce gang members to healthy recreational activities; that youths of under sixteen years be banned from cafés cinemas and billiard saloons unless they attend with their parents or guardians; and that schools be used in the afternoons for doing homework and for games and leisure-time activities. It urged that strong support be given to the creation of youth battalions, as preventive rather than punitive organizations, and as a means of training young people for careers.

The Minister of the Interior said in September(4) that the Department of Coloured Affairs was opening an institution at Klaasjagersberg for abandoned, difficult and problem-type Coloured boys.

LEGAL AID BUREAUX

The work of Legal Aid Bureaux has been described in previous issues of this Survey(25). Originally founded in South Africa by the Institute of Race Relations, in 1942 they became statutory bodies under the Department of Justice, controlled by local committees which are responsible to the provincial law societies. They receive government subsidies and, in some cases, municipal grants-in-aid, and/or donations from the public. Four bureaux now exist, in Johannesburg, Pretoria, Cape Town and Durban, the bureaux in Bloemfontein and Port Elizabeth having closed down. The total government subsidy paid to all of these is reported(“) to amount to only £5,500 a year: they have been able to operate solely because they receive the assistance of public-spirited legal practitioners who give their time and knowledge freely.

The Johannesburg Bureau has been granting interviews to close on 9,000 Europeans and Non-Europeans per year, and providing legal aid in not far short of 2,000 court proceedings. Out of a total budget of £2,800 p.a., its Government subsidy is £850. The Cape Town Bureau has been handling about 150 new cases a month.

This Cape Town Bureau has been entirely dependent upon the Government grant, which is quite inadequate to cover its needs. It was forced to close temporarily from November 1957 to January, and then again found itself in increasing financial difficulties. The local Law Society decided that the bureau would have to close permanently from 30 September unless an additional source of revenue was forthcoming.
It is reported that the whole matter of Legal Aid Bureaux has been investigated departmentally, and that the Government is reconsidering the present system.

(24) Senate, 8 September 1958, Hansard 5 col. 1084.
(25) e.g. 1954-55 page 248, 1953-54 page 155.
(2) Star, 29 October 1958.

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The students of Rhodes University recently made a grant from their Rag Fund to enable the Grahamstown local committee of the Institute of Race Relations to provide legal aid for persons in difficulties.

IMMORALITY ACT OF 1950

As was described in an earlier issue of this Survey(7), the Prohibition of Mixed Marriages Act of 1949 rendered marriages between Whites and Non-Whites illegal. It was followed in 1950 by the Immorality Amendment Act, which extended to all Non-Whites the provisions of a 1927 law prohibiting illicit carnal intercourse between Africans and Europeans.

During the year now under review there have been at least two prosecutions under the latter Act which high-light the particular difficulties created by the sequence of these two Acts. A couple in Durban, who have two children, were on December 23 both sentenced to six months' imprisonment, of which four months were suspended for three years on condition that they were not convicted of again contravening this law during that time. While they were in gaol their attorney approached the Minister of Justice, who eventually decided that after their release they could continue to live together as man and wife and would not be prosecuted again under the Act.

There was a similar prosecution in January of a couple from Wellington, who were each sentenced to four months' imprisonment. They were released after four days in gaol and subsequently received a pardon; but when she returned home the mother, who was expecting another child, found that her three children had been left to fend for themselves and had lived on scraps of food for which they had begged in the streets. No-one had thought of informing the Child Welfare Society of their plight.

The Minister of Justice was asked what steps were contemplated to grant relief in such cases. He replied(8), "The matter enjoyed so much publicity at the time the Immorality Act, 1950, was under discussion that it is felt that persons in similar circumstances were given ample opportunity to get married. It is, accordingly, not considered necessary to take steps to grant relief as a general rule in all such cases ... Each case will be dealt with on its merits. In this case it has been decided to recommend a free pardon".

It was mentioned in previous issues of this Survey(9) that there have been cases in which a Non-White person, charged under the Act, was sentenced to a term of imprisonment while the White person, charged as the accomplice, was acquitted or given a suspended sentence. Numbers of organizations have urged that there
should be joint trials in all such cases, and that no plea of guilt by either party separately should be accepted. No action has yet been taken to incorporate these suggestions in the law.

EXTERNAL AFFAIRS
MEMBERSHIP OF UNITED NATIONS
The Minister of External Affairs announced in the Assembly on 15 July 1958(1) that "in view of the more reasonable and conciliatory attitude towards South Africa shown by a fairly large number of delegations, the Cabinet has agreed that the policy of 'token representation' has achieved its purpose, and that in the circumstances the Union could now return to full participation in the work of the United Nations". The Cabinet had further agreed, he continued, that South Africa should in future, in a greater measure, play its full part in the organization and in the discussions. It would continue to stand inflexibly by Article 2 (7) of the Charter: any discussion of essentially domestic matters would be ignored. The Minister concluded by saying that he, accompanied by the Secretary for External Affairs, would attend the beginning of the forthcoming session of the General Assembly, and a permanent representative to the United Nations would be appointed, with the diplomatic rank of Minister Plenipotentiary.

UNITED NATIONS’ CONSIDERATION OF SOUTH-WEST AFRICA
At the 1957 session of the General Assembly of the United Nations, it was decided to set up a 'Good Offices' Committee composed of Britain, the United States and one other member to be appointed by the President of the General Assembly, to explore with the Union Government the possibility of reaching an agreement which would continue to accord to South-West Africa an international status. Brazil was later appointed as the third member of the committee. After preliminary discussions in London, the members of the committee visited South Africa during June for formal discussions with the Union Government. Later, at the latter's invitation, two of the members visited South-West Africa. The terms of the committee's report were made public during September. It believed, it stated, that a form of partition in the territory might provide a basis for agreement between the world organization and the South African Government. Under such an agreement the southern part of the territory would be annexed to the Union, while the northern part, containing the great majority of the African population, would be administered by the South African Government as an integral part of the Union, but under a trusteeship agreement with the United Nations.

(1) Hansard 2 col. 351.

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The Committee hoped that the General Assembly would encourage the Union Government to investigate the possibility of partition, on the understanding that if the investigation proved that the idea was practicable, the Union Government
should draw up precise proposals for submission to the United Nations. If not, the Union should inform the United Nations, and the matter would lapse.

South Africa's Minister of External Affairs told the Trusteeship Committee that his Government was of opinion that this suggestion merited further consideration and would, if asked, be prepared to investigate its practicability. South Africa put forward an alternative proposal: that it would be willing to accept, as the second party to an agreement, the Governments of Britain, France and the United States, as the three remaining principal allied and associated powers under the original mandate. Such agreement would specify that the territory possessed an "international character" deriving from the arrangements made at the peace conference at Versailles, and that this character could be modified only with the consent of both parties to the agreement.

Besides appointing the Good Offices Committee, the General Assembly at its 1957 session had reappointed the United Nations Standing Committee on South-West Africa, this time with representatives of Uruguay, Egypt and Indonesia. This committee (whose jurisdiction South Africa does not acknowledge) reported that in order to preserve the "sacred trust" undertaken by the South African Government on behalf of the League of Nations, it was essential that the manner of administration of South-West Africa should be changed, so as to ensure the political, economic and social development of the whole population, and the recognition and application of the principle of equal rights and opportunities for all the inhabitants.

The Trusteeship Committee rejected the suggestion made by the Good Offices Committee and the alternative suggestion by South Africa. It adopted a resolution inviting the Good Offices Committee to renew discussions with the South African Government with a view to finding a basis for agreement which would continue to accord the territory as a whole an international status, and which would be in conformity with the principles and purposes of the United Nations. On 31 October this resolution was adopted by the General Assembly by 61 votes to eight, with seven abstentions.

TREATMENT OF PERSONS OF INDIAN ORIGIN IN THE UNION
In 1957 the General Assembly appealed to the South African Government to negotiate with India and Pakistan with a view to solving the question of the treatment of persons of Indian origin in the Union in accordance with the purposes and principles of the Charter and the Universal Declaration of Human Rights.

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The Indian delegate reported to the Secretary-General during July 1958 that he had written in April to the South African delegate, proposing Indian-South African negotiations in New York or elsewhere. No reply had been received.

RACIAL POLICIES IN THE UNION
On 30 October 1958, the General Assembly, by 70 votes to five, with four abstentions, adopted a resolution expressing its regret and concern that the Union Government had not heeded its appeals to modify the apartheid policy.

TECHNICAL AND ECONOMIC ASSISTANCE IN AFRICA

The Foundation for Mutual Assistance in Africa South of the Sahara (FAMA) was inaugurated at a meeting held in Accra during February, under the aegis of CCTA (the Commission for Technical Co-operation in Africa South of the Sahara), and backed by South Africa, Britain, Belgium, France, Portugal, the Federation of Rhodesia and Nyasaland, and Ghana. It will act as a clearing-house for technical information, and will provide technical aid such as the services of experts and the training of personnel.

The United Nations is planning to set up an Economic Commission for Africa (to be sited at Addis Ababa), which will be responsible to the Economic and Social Council, with the object of maintaining and strengthening the economic relations of all countries in Africa both among themselves and with other countries in the world. It will assist and advise any African state that cares to use its services.

INSTITUTE OF RACE RELATIONS IN BRITAIN

The Institute of Race Relations (6, Duke of York Street, London S.W.1.) came into being as a separate body in April 1958, but continues the work begun five years earlier by the Royal Institute of International Affairs in Chatham House.

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ANNEXURE I

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


Institute Statement on the Bill, by Dr. Ellen Hellmann and R. B. Ballinger.

Vol. XXV Nos. 1 and 2 The Pathology of Apartheid-A Reply to Professor Stoker, by R. B. Ballinger.

The Treatment of Australian Aborigines, by Hugh Gilchrist.

A Review of Legislation in 1957, by Quintin Whyte.


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RR 176/57 Evidence Submitted to the Commission on the Separate University Education Bill.
RR 218/57 Civil Liberty in South Africa, by Dr. the Hon. Edgar H. Brookes and J. B. Macaulay (An address baged on the first two chapters of a book subsequently published by the Oxford University Press).
RR 225/57 The Implementation of the Bantu Education Act, by J. W. Macquarrie.
RR 43/58 First Interim Report on Position in Regard to Certificates and Letters of Exemption, by Muriel Horrell.

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MEMORANDA ISSUED BY REGIONAL OFFICES CAPE WESTERN REGION
Memorandum on Some of the Effects of Implementation of the Native (Urban Areas) Consolidation Act, the Group Areas Act and OtherRestrictive Legislation in the Cape Western Region, by Mrs. Kathleen R. Matthews.
NCR 50/58 Suggestions for Activities and Projects for Small Inter-Racial Groups (with Particular Reference to Country Towns).
NCR 66/58 African Income and Capacity to Pay in Relation to the Kwa Mashu Housing Scheme (Abstract from Report of Municipal Native Administration Department).
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NCR 47/58 Challenge and Response (report on the SABRA Congress), by Dr. J. F. Holleman.
NCR 48/58 Indian Elites in Natal, by Dr. Hilda Kuper.
SOUTHERN TRANSVAAL REGION RR 22/58 Evidence submitted to the Johannesburg City Council Commission of Enquiry into the Disturbances in Certain SouthWestern Townships in September, 1957.
ANNEXURE II
OTHER RECENT PUBLICATIONS DEALING WITH RACE RELATIONS
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ANNEXURE IH
AFRICAN HOUSING SCHEMES
N.B.-Plans have been made for the resiting of the African townships in certain urban areas. If the residents are to be moved within the next five years, their present dwellings are not included in the totals now available, the number of dwellings required for their rehousing being included, instead, under the heading "remaining shortage". Temporary shacks have been disregarded. The second column of the table reflects progress made during the year 1 October 1957 to 30 September 1958 (unless otherwise stated).

RELATIONS: 1957-5823

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A SURVEY OF RACE

RELATIONS: 1957-58 ANNEXURE IV SOME PENSIONS AND GRANTS PAID IN 1956-57
Reference
Type
Old Age pensions
(2) Number of persons .......... and Total amount paid .......... 
(4) Average amount .......... 
(1) % receiving maximum rates
Disability grants
(2) Number of persons .......... and Total amount paid .......... 
(4) Average amount .......... 
(1) % receiving maximum rates
Blind pensions
(2) Number of persons .......... and Total amount paid .......... 
(4) Average amount .......... 
(1) % receiving maximum rates
War Veterans’ pensions
(4) Number of persons .......... and Total amount paid .......... 
(8) Average amount .......... 
Maintenance grants
(3) Total amounts paid .......... 
Family allowances
(3) Total amounts paid .......... 
Unemployment insurance
(5) Total amounts paid in 1957
Pneumoconiosis benefits
(6) Total amounts paid .......... and Number of persons ...... 
(7) (1957-8 figure for Africans)
Whites
86,338
£9,997,970 £115 16 0
34%
10,117
£1,231,477 £121 14 5 34%
1,169
£135,108 £115 11 6 23%
30,109 £5,123,129 £163 19 5
£924,987
Coloured and
Asians
49,919
£2,049,524 £41 1 1 30% Coloured 65% Asian
8,515
£357,063 £41 18 8 35% Coloured 65% Asian
1,689
£74,340
£44 0 3
33% Coloured 66% Asian
1,035
£47,962 £46 6 10
£302,433
(Coloured only)
£30,194 £3,954
(Coloured only)
£2,403,778
£2,753,518
10,690
£814,369 Coloured £199,643 Asian Africans
216,811 £3,010,899 £13 17 9
90%
47,853 £679,480 £14 3 11
90%
17,518 £243,035 £13 17 6
90%
£15,000
Nil
Nil
£46,984
£7,233 £877,959
197 1,644

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