

A SURVEY OF  
RACE RELATIONS  
IN SOUTH AFRICA  
1951 — 1952

Compiled by

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### INTRODUCTION

The following *Survey of Race Relations* was prepared by Miss Muriel Horrell, the Institute's Technical Assistant. In the past, the *Survey* was incorporated with the Institute's Annual Report; but this year, particularly in view of the events of the past twelve months, it was decided to make it an independent publication.

The past year has been one of increased tension. This has been admitted on all sides and if the events of this period are passed in quick review, there would appear to be a few major factors which have affected most seriously the relations of the groups in our multi-racial society.

The legislation to place the Cape Coloured voters of the Cape Province on a separate voters roll raised three fears:

that other rights embodied in and safe-guarded by the South Africa Act of 1909 would also be endangered by the ignoring of the two-thirds majority at a Joint Sitting which the Act demands for change of its entrenched clauses;

that if this proposed legislation could apply to the Cape Coloured people, it could also apply to other minority groups;

that if separate representation were given under this legislation it was but one step towards the elimination of all representation of Coloured people in Parliament.

This legislation, taken together with other measures, aroused Non-European resentment.

The second event has been the inauguration by the Joint Committee of the African National Congress and the South African Indian Congress of the Passive Resistance campaign to resist "unjust laws".

This campaign might, on the surface, appear to be insignificant in that so far only 7,500 have been convicted. The significance of the campaign, however, lies in the fact that there are over 7,500 Non-Europeans, mainly Africans, prepared to go to prison, and that no incident has been provoked. This latter factor implies a confidence and a self-discipline which no one expected of the African people, and the emergence of a self-sacrificial leadership to an extent not known before.

Though outside the period covered in this Survey there have been the riots at Port Elizabeth, East London, Kimberley and Denver, these constitute a third major event. Where the final responsibility for them lies has not yet been determined as no judicial commission of enquiry has been set up to examine the causes. All sections of the community have been shocked. Immediate European reaction has been very sharp but there is already considerable evidence that, however great their horror has been, Europeans are realising that a state of tension has arisen in the country that requires new understanding and new approaches; that while law and order must be maintained, South Africa cannot develop harmoniously and prosperously where Europeans and Non-Europeans face each other from hostile camps separated by artificial barriers of *apartheid*.

As a background to these events, have been the irritants of the application of *apartheid* regulations, the threat of application of the

Group Areas Act. the suggestion that African women carry reference books, the renewal of the idea of the expatriation of Indians and the criticism of South Africa which has been loudly voiced abroad.

These events and the undercurrents in the situation would indicate that the fundamental problems of the country have not been touched. These fundamental problems are those of human relations, of human dignity, of outlets for normal every-day human aspirations. While increased provision has been made for Native education and for other services for Non-Europeans — housing, health, rural development, local government and employment opportunities in the Public Service — these have not dealt with the vital issue. How canalize Non-European aspirations into the main stream of South African life, how make of South Africans — black and white alike — common citizens of a land of which all are proud and which all will defend before the world?

There are visible signs that the European community is more prepared to meet the situation. The Federal Mission Council of the Dutch Reformed Churches proposes to hold an inter-racial Christian Conference in 1953; Non-European housing schemes have been more vigorously tackled in some areas; the leaders of European English-speaking Churches have spoken out fearlessly on Non-European rights; the permanent need for urbanized Non-European labour in our industrial and mining areas has been recognized by both Government officials and Ministers. The Government has suggested various forms of local government which, though they can be criticised, go to meet, to some extent, African claims for local responsibility. Moderate African leadership, while determined on the necessity for the eventual elimination of discrimination, is recognizing the need for co-operation. Non-Europeans are being increasingly used in skilled capacities in our industries. The right of Non-Europeans to elementary education has been widely recognized. It is realized that the African is both a political and economic force in the country which cannot be ignored.

So there would appear to be two trends: first, the enactment of legislation designed to separate the races and to discriminate between them — how far it will be possible to put such legislation into practice has still to be seen; secondly, the economic and other pressures which are making for an integrated society. The great danger for the future lies in the possibility that this facade of “idealistic legislation” may be taken for reality by all groups.

The purpose, then, of this *Survey* is to place before the public a picture of events which have affected race relations in South Africa over the period October 1951 — September 1952. Readers may make their own assessments from the material supplied, but it is suggested that the *Survey* might be read in conjunction with . . . *go forward in faith* (The Logic of Economic Integration), which is a statement of the Institute's own beliefs and attitudes to racial affairs.

QUINTIN WHYTE.

*Director S.A. Institute of Race Relations*



**THE FUNCTIONING OF SOUTH AFRICA'S SOVEREIGN PARLIAMENT****JUDGMENT ON THE SEPARATE REPRESENTATION OF VOTERS ACT**

The legality of the Separate Representation of Voters Act (Act 46/51—Institute commentary RR38/51) has been tested in the Courts during the year. It will be remembered that this Act deprived the Coloured people of the Cape of their existing right to vote in the same constituencies as Europeans and placed them on a separate roll to elect certain representatives of their own.

The essence of the legal situation was that the Statute of Westminster, enacted in 1931, made the Union Parliament the supreme sovereign authority in and over the Union. The question later arose whether Parliament was still bound by the terms of the South Africa Act of 1909 by which it was brought into being. In 1937, in the case *Ndlwana versus Hofmeyr*, the Appellate Division ruled, in effect, that it was not so bound.

During August, 1951, four Cape Coloured voters filed petitions contesting the validity of the Separate Representation of Voters Act on the ground that it conflicted with the entrenched clauses (Sections 35 and 152) of the South Africa Act. In October, the Supreme Court, Cape Town, dismissed this application, holding that the Appellate Division's decision in 1937 precluded the lower court from inquiring into the validity of the Act.

During March, 1952, however, the Appellate Division, in the case *Harris and others v. Minister of Interior* and another, set aside this order and reversed the 1937 judgment. It considered that although the Union Parliament is the sovereign authority in South Africa, this sovereignty, for the purposes of the entrenched clauses, exists only in a joint sitting of the Senate and Assembly; and even then is subject to the guarantee that existing voting rights and the equality of the two official languages shall not be altered except by a majority of two-thirds of the members present. As the Separate Representation of Voters Act, (which made changes in voting rights) had been passed through the Assembly and the Senate separately, and with simple majorities, it was ruled "invalid, null and void and of no legal force and effect." This was a unanimous judgement by a full Bench of five judges. The Chief Justice said that, however reluctant the Court was to depart from decisions of its own, it was bound to refuse to follow *Ndlwana's* case, for the decision in that case had been pronounced without hearing argument for and against the main conclusions at which the Court arrived.

**REACTIONS TO THIS JUDGMENT****The Government**

On the day the judgment was delivered, the Prime Minister announced that the Government would take steps to place beyond any

doubt the legislative sovereignty of Parliament. The Court decision had created a constitutional position which could not be accepted.

### **In South Africa Generally**

Following this announcement by the Prime Minister, both the United Party and the Torch Commando convened protest meetings throughout the country. A party political truce during the Van Riebeeck Festival and over Easter had previously been agreed upon; but immediately Parliament re-assembled and the Budget Debate was continued, the Leader of the Opposition moved an amendment that "the House declines to go into Committee of Supply unless and until the Government undertakes to accept the judgment of the Appeal Court . . . and to abide by the constitution of the country." After a four-day debate the Amendment was rejected by 78 votes to 61.

The United Party, Labour Party and Torch Commando then announced that they had formed an alliance which would create a united front to work for the restoration of democratic government.

At a meeting of various Non-European cultural and social organizations, in Cape Town, it was decided to form a Non-European Franchise League to organize the registration throughout the Province of all qualified Non-Europeans as voters.

### **The Institute**

On hearing the judgment, the Institute's Director issued the following press statement in English and Afrikaans:

"This is the most heartening thing that has happened in the past two years. It is a legal decision and not a moral judgment, yet it will have moral repercussions far beyond the bounds of the decision itself. The judgment re-establishes our faith in the soundness of the principles underlying our democratic system. It is a telling demonstration of the independence and impartiality of our highest Court. To Non-Europeans the decision comes not only as a vindication of the rights which they assert but also as a pledge of European integrity and justice. In the world outside our name and prestige which have suffered so grievously of late will recover some of the ground lost.

"Here is an opportunity for the Government to retrieve some of the lost faith of our Non-European people. Here is an opportunity for statesmanship of the highest order. Let the Government and the Prime Minister, who has always been regarded as a constitutionalist, accept this position and not attempt to outflank it by any other than existing constitutional procedures. To attempt to interfere with the powers of our Courts will be to undermine our whole democratic structure. It will induce a complete distrust by our Non-European people of White integrity and justice. It will worsen race relations at a time when race relations are bad and deteriorating and the consequences of this will be borne not only by the Government but by all citizens, Black and White.

“The Appeal Court must remain unassailed in its independence and completely unfettered in its impartiality. To Non-Europeans, who have little or no part in the exercise of the powers of our Sovereign Parliament, the Courts of our land are an anchor and a guarantee of justice. Any attempt to undermine the authority of the Appeal Court or to take steps which would have the effect of nullifying its decision would divest Europeans of any claim to honesty of purpose or consistency of principle.”

### HIGH COURT OF PARLIAMENT ACT

During April, 1952, the Minister of the Interior introduced the High Court of Parliament Bill, which was subsequently passed as Act No. 35/52. It provided for the establishment of a Court consisting of all members of the Senate and Assembly sitting together (50 of whom would form a quorum), which would have power by a simple majority to confirm, vary or set aside any judgment of the Appellate Division of the Supreme Court invalidating any Act of Parliament or refusing to give effect to any of its provisions. Applications for review of such judgment would be heard first by a Judicial Committee of the High Court of Parliament.

On the introduction of the Bill, the Opposition contended that as, in effect, it amended the entrenched clauses of the South Africa Act, a two-thirds majority at a joint sitting of the Senate and Assembly was necessary to pass it. The Leader of the Opposition thus asked whether the Assembly sitting alone was competent to proceed. The same procedure was later followed in the Senate, but in both cases the point of order was rejected. The Opposition then decided to move no amendment, but merely to vote against every clause and to break off parliamentary relations with the Government. The Torch Commando petitioned the Governor-General to withhold his assent to the Bill which was, however, signed on June 3rd.

The Rules of the High Court of Parliament were gazetted on June 18th, and provided that whereas the Judicial Committee would hold its sittings in public, its deliberations, and also the sittings of the High Court, would be held in camera.

### Reactions to the Act

During the debate in the Senate, the Leader of the Opposition issued a warning that if the Government renounced its moral and constitutional obligations and, in effect, tore up the Act of Union, Natal would not be with it. The Natal Provincial Council, and later a mass meeting of 35,000<sup>(1)</sup> people in Durban, adopted a motion calling for a new national convention to re-affirm the constitution of South Africa. The Prime Minister's reply was that the Government could not consider this request as it came from one of the Provinces only. The question of secession from the Union continues to be debated fiercely in Natal.

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(<sup>1</sup>) According to *Rand Daily Mail*, 7th June

No statement was issued by the Institute because its views on the Appeal Court decision had been widely circulated to the Press, Members of Parliament, Senators and others, and had been published in the April issue of "Race Relations News."

Members of the Bar and of the Side Bar in several centres signed resolutions deploring what they considered the Government's threat to the rule of law.

A Women's Action Committee was formed and convened mass meetings of women in the major towns of the Union to protest against the Government's action and to enrol workers for the United Front.

(See page 11 for Non-European reactions to this and other legislation).

### **Sitting of the High Court of Parliament**

On June 25th, the Government applied to the High Court of Parliament for a review of the Appeal Court's judgment setting aside the Separate Representation of Voters Act. Sittings were convened in Pretoria for the Judicial Committee on July 21st and for the High Court on August 26th: they were attended only by members of the Nationalist Party, as the United and Labour Parties and the Natives' Representatives decided to boycott all proceedings. The decision of the High Court was announced on August 28th: it ruled that the relevant judgment and orders be set aside, and accepted the Judicial Committee's view that the Assembly and Senate, and not the Courts, are alone competent to interpret and apply the law in so far as it relates to the procedure to be followed by them for the enactment of any law.

### **Validity of the High Court of Parliament Act**

During June, the four Cape Coloured voters who had previously challenged the Separate Representation of Voters Act, applied to the Supreme Court, Cape Town, to have the High Court of Parliament Act declared invalid on the grounds that it would affect their voting rights. On August 14th, this Court ordered the Electoral Officer, Cape Town, not to remove the names of Coloured Voters from the common roll while judgment was pending; and on August 29th it ruled unanimously that the High Court of Parliament Act was "invalid, null, void, and of no legal force and effect." The Judge-President made it clear that the Court had no option, largely because it was bound by the Appellate Division's decision that the entrenched sections of the South Africa Act were still in force. An appeal against this judgment was immediately lodged by the Government: at the time of writing the Appeal had not been heard.<sup>(2)</sup>

Meanwhile, a Delimitation Commission had been appointed and, faced with the problem of whether to proceed on the basis that Coloured

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<sup>(2)</sup> It has since been announced that the Government appeal has failed. The five senior judges of the Appellate Division unanimously ruled that the Act is invalid.

voters were on or were off the common roll, was forced to provide for either contingency.

## **INTERNATIONAL AFFAIRS AND EVENTS OUTSIDE THE UNION**

### **Human Rights**

On page 15 of the Institute's last Annual Report, details were given of which provisions of the draft Covenant of Human Rights the Union Government accepted in principle, which it accepted with reservations, and which it found unacceptable. The United Nations has not yet announced its attitude to the question of what reservations States may make to the Covenant while still being bound by it. Nor has an answer been given to the problem of federal states unwilling to bind their component parts to international agreements.

The Commission on Human Rights met in New York during 1952 to continue work on the Covenant. Following instructions from the United Nations General Assembly it is preparing two documents, one on civil and political rights and the other on economic and social rights.

### **Relations between the Union and India and Pakistan**

The treatment of Indians in South Africa was again discussed during the 1951/1952 Session of United Nations. A resolution passed by the General Assembly in January called for the establishment, by March 12th, of a commission of three to help settle the question, one member to be appointed by the Union, one by India and Pakistan, the third to be nominated by the first two, or, failing agreement between them, by the Secretary-General of United Nations. The Union Government was called upon to suspend the implementation of the Group Areas Act until after the conclusion of negotiations. It was further agreed that, in the event of the three countries failing to appoint members to the proposed commission, the Secretary-General should appoint a mediator to facilitate negotiations.

During March the Union Government informed U.N. that, while it was unable to accept this resolution as a basis for negotiations since the terms constituted intervention in a matter within the Union's domestic jurisdiction, it nevertheless adhered to the proposals for holding a conference on the basis of the formula agreed upon at the 1950 Cape Town conference (see page 23 of the Institute's 1950/51 Report). Following this, the Governments of India and Pakistan informed the Secretary-General that, in view of South Africa's attitude, no useful purpose would be served by their appointment of a representative to the proposed three-man commission. They intimated later that they were prepared to accept the services of a mediator; but South Africa proved unwilling to do so.

### **South-West Africa**

Having been taken no further during the 1950/51 Session of United Nations, the South-West African question was again on

the agenda for the 1951/52 Session held in Paris. Against strong opposition from the Union, the Trusteeship Committee invited four tribal chiefs from the Territory to give evidence: on the ground that this Committee had acted beyond its legal competence the Union then withdrew from its proceedings and requested that the matter be raised in the General Assembly, but the President replied that he could find no valid basis for doing so. The Union thereupon also withdrew from the General Assembly for the current Session, but announced that it would continue to participate in the proceedings of the Political Committee. Passports and travelling facilities were refused to the four tribal chiefs. They asked the Rev. Michael Scott again to represent them, and he gave evidence during January.

The South African Government continues to maintain that the Trusteeship Committee's decision to grant oral hearings to petitioners was illegal. The position is that, while the trusteeship agreement does empower the United Nations to accept petitions, it is silent on the subject of hearing oral evidence from accredited spokesmen of those with special interest in a matter under discussion.

During December, the General Assembly once again asked the Union to place the Territory under international trusteeship (although it accepted the International Court's ruling that there was no legal obligation on the Union to do so), to submit reports on the administration of the Territory, and to agree to transmit petitions. It reconstituted the *ad hoc* committee on South-West Africa, which was asked to report back at the 1952/1953 Session.

Recently, in September, 1952, the United Nations was informed that, although South African opinion had been "deeply shocked" by the Trusteeship Committee's actions, the Union Government was willing in a spirit of compromise to discuss a settlement of the long-standing dispute. It had already offered these concessions:

- (a) it would be prepared to accede to a new instrument which would revive the lapsed League of Nations mandate;
- (b) It was ready to assume international responsibility for the administration of the territory, although believing it was no longer obliged to do so;
- (c) it was prepared to be accountable for the administration to the remaining three of the First World War allies, the United States, United Kingdom and France; the new instrument to be concluded under the aegis of the United Nations.

### **Institute action in regard to South-West Africa**

In January, 1952, the Institute's Executive Committee drew up the following statement:

"Being deeply concerned at the international tension that has arisen over the South-West Africa dispute and the adverse effects of the dispute on inter-racial affairs within and without South Africa, the Executive Committee of the South African Institute of Race Relations appeals to the Union Government to accept

the advisory opinion of the International Court of Justice on the South-West Africa issue, to reaffirm its willingness to administer the territory in the terms of the mandate, and to reach a friendly agreement with the United Nations on the procedure to be adopted for consideration of the annual report and of petitions relating to the administration of South-West Africa within the terms of the mandate.

"With respect to the submission of petitions, the Executive Committee of the Institute considers that the method provided in the mandate should be adopted, namely, that petitions should in the first instance be made to the Union Government and should be transmitted to the United Nations by the Union Government in accordance with the opinion of the International Court of Justice.

"The Executive Committee holds that it is the Institute's duty and that of all Union citizens to concern themselves with the manner in which South-West Africa is administered under the mandate and has decided to submit to the authorities and to publish a memorandum containing a number of matters relating to the welfare of the Non-European inhabitants of South-West Africa."

The memorandum referred to is RR.81 A/51, by the President, Mr. J. D. Rheinallt Jones. This was summarized on page 89 of the Institute's last Annual Report, and was published in Race Relations Journal No. 1. of 1952.

Copies of the Executive Committee's statement and the President's memorandum were sent to the Prime Minister and later released to the press.

### **The High Commission Territories**

In the Senate on May 13th, the Prime Minister said that the present position in regard to the High Commission Territories could not continue interminably. "It is 40 years since the (South Africa) Act was passed and since the agreement between Britain and South Africa — 40 years of no progress. We cannot leave the matter there." He was preparing a White Paper on all the negotiations that had taken place with the British Government. Provision had been made for both Houses of Parliament to forward a petition to the Privy Council asking for incorporation, but this had never been done. "The election is a matter of months ahead, and in the election the people should be asked to authorise their representatives in Parliament to support a petition by both Houses of Parliament to the British Government."

Next day, in the Assembly, the Prime Minister said, "We treat the Protectorates now as if they are part of the Union, and all the privileges which we give to our Natives we give to the Natives of the Protectorates . . . We look after the defence of those Protectorates . . . But we may come to the position later . . . that, since the Protectorates

fall under another Government, they must be regarded as foreign territories."

The Prime Minister of the Gold Coast has petitioned the United Nations to prevent the Union Government from incorporating the Protectorates.

During 1950, the Institute collected factual information on the three territories, examining to what extent they and the Union are inter-dependent, the status of Africans, economic conditions and development plans. This information is being kept up to date.

### **U.N. Consideration of South Africa's apartheid Policy**

At the request of fourteen Arab-Asian nations, and despite protests from South Africa, the Union Government's *apartheid* policy has been placed on the agenda for the forthcoming session of U.N. The letter requesting this was accompanied by a memorandum in which it was said, "The race conflict in the Union of South Africa, resulting from the policy of *apartheid*, is creating a dangerous and explosive situation which contributes both a threat to international peace and a flagrant violation of basic principles of human rights and fundamental freedoms which are enshrined in the Charter of United Nations." South Africa had challenged the U.N. Assembly's competence to debate *apartheid* on the ground that Article 2 (7) of the Charter said that "nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State."

### **Inter-Racial Co-operation in Africa**

On returning from wide travels in Africa during 1951, the Institute's President, Mr. J. D. Rheinallt Jones, drew attention to the growing tendency in all the territories for a division on racial lines. What was required was an expanding economy in which all ethnic groups would participate. He suggested that an unofficial conference be convened on social and cultural adjustments to changing economic conditions, individuals of standing from each racial group in the Union and the British Bantu-African territories being invited.

After much discussion and consultation with prominent people in territories to the North (many of whom supported the idea) it was realized that the Institute did not possess the resources to organize a Conference on the scale that would be necessary. U.N.E.S.C.O. was then requested to consider sponsoring it, and replied that it was already planning conferences in Southern Asia during 1952, and in Africa in 1953, to examine the social impact of modern technology in countries in process of industrialization. The Institute is awaiting developments.

### **British Central African Territories**

During the year, the Institute published *The Proposed Federation of The Central African Territories* by Kenneth Kirkwood. The President,



who visited the Rhodesias and the United Kingdom in 1952, had discussions with numerous bodies and individuals concerned with this question, both those in favour of Federation and those opposed to it, his efforts being directed towards a settlement that would avoid a head-on clash between White and Black. At the time of writing, negotiations were proceeding.

**RIISING TENSIONS IN SOUTH AFRICA AND WORK TO  
HELP RESOLVE THESE  
CAMPAIGN OF DEFIANCE OF "UNJUST" LAWS**

**Preliminary Planning and Correspondence**

Towards the end of 1951, a joint planning council of the African National Congress and the South African Indian Congress was set up to suggest how the efforts of Non-European organizations could be co-ordinated to secure the repeal of legislation considered discriminatory. The proposals of this council were considered by the African National Congress in December, 1951. Thereafter a letter was sent from Congress to the Prime Minister, re-iterating the plea, made over many years to successive Governments, for direct representation of Africans in the councils of state, and calling on the Government to repeal specified "unjust and racial discriminatory laws" by February 29th, 1952, failing which "mass action" would be taken. The laws specified were the pass laws, the Group Areas Act, the Separate Representation of Voters Act, the Suppression of Communism Act, the Bantu Authorities Act, the "so-called rehabilitation scheme" and the cattle-culling policy. Preparations for mass action would be made on April 6th — the occasion of the Van Riebeeck tercentenary — and the action to follow would commence with the defiance of selected laws and regulations. The letter emphasized that "the struggle which our people are about to begin is not directed against any race or national group, but against the unjust laws."

The Prime Minister replied on January 29th. The Government had no intention, he said, of repealing the long-existing laws differentiating between European and Bantu, which were largely measures for the latter's protection. "While the Government is not prepared to grant the Bantu political equality within the European community, it is only too willing to encourage Bantu initiative, Bantu services and Bantu administration within the Bantu community." The Prime Minister advised Congress to re-consider its decision — one of "extreme gravity" — in the interests of the Bantu people, and to devote its energies to a constructive programme of development, using the opportunities offered by the Government for building up local Bantu government and administration. "Should you adhere to your expressed intention of embarking on a campaign of defiance and disobedience to the Government," the Prime Minister wrote, "and should you in the implementation thereof incite the Bantu population to defy law and order, the Government will make full use of the machinery at its disposal to quell any disturbances, and, thereafter,

deal adequately with those responsible for initiating subversive activities.”

On February 11th, Congress replied to the Prime Minister. They had no alternative, they said, but to embark on a mass campaign of defiance of unjust laws. As a defenceless and voteless people, they had explored other channels without success. Nothing contained in the Bantu Authorities Act could be a substitute for direct representation in the councils of state. Congress stated emphatically that it was their intention to conduct the campaign in a peaceful manner, and that any disturbances, if they occurred, would not be of their making.

The South African Indian Congress, the Franchise Action Council (consisting largely of Coloured voters in the Cape), and the Youth League of the African National Congress, decided to support and participate in the defiance campaign. A fund was launched to finance it. Non-European organizations were not unanimously behind the move, however: the Bantu National Congress (a new body formed at Ladysmith, Natal) and the Paramount Chief of the Zulu opposed it; and the Natal African National Congress dissociated itself from the proposed Van Riebeeck Day demonstration. The Natal Indian Organization has opposed the defiance campaign throughout.

#### **April 6th**

On April 6th, mass meetings of protest against “Unjust Laws” and religious services to pray for “freedom” were held at a number of the major centres in the Union. All the meetings were orderly; the Non-European leaders showed themselves able to control the total situation; there was no interference from the European public.

Volunteers to take part in the defiance campaign were enrolled.

#### **April and May, 1952**

During these months, the Executives of the organizations concerned planned the campaign to follow, deciding that it should commence with localized civil disobedience. Over a period of months, units of volunteers, first in the Eastern Cape Province and on the Witwatersrand and later in other centres too, would commit technical offences such as contravention of pass laws, general *apartheid* regulations at stations and post offices, and curfew regulations. No defence would be prepared for the volunteers, and they would go to gaol rather than pay a fine.

#### **Government action against certain leaders**

Early in June, certain leaders of the campaign whose names had been “listed” under the Suppression of Communism Act (see page 24) were served with notices requiring them to resign from specified organizations, restraining them from attending or addressing meetings, and imposing restrictions on their movements. Several of these leaders volunteered to begin the campaign by defying the

ban on attendance at meetings, thus courting arrest. Sentences of from four to six months' imprisonment were later imposed in a Magistrate's Court, bail being allowed pending an appeal. At the time of writing the appeals had not been heard.

### **Commencement of the mass defiance campaign**

A day of prayer for success was held on Sunday, June 22nd, in Non-European townships throughout the Union. Then on June 26th the campaign was launched. Within the first fortnight, over 500 Non-Europeans (mainly Africans) had been arrested in the Eastern Province, and another 100 on the Witwatersrand, for such offences as contravening curfew regulations, ignoring *apartheid* regulations at stations or post offices, or entering African townships without permits or passes.

By 30th September, arrests totalled some 5,000 in the Union, about 1,500 of these being in Port Elizabeth, 850 in East London, 600 in Witwatersrand towns, 400 in 'Grahamstown,' 300 in Peddie, 100 in Uitenhage, and smaller numbers in towns widely scattered throughout the Union, for example Cape Town, Durban, Pretoria, Kimberley, Bloemfontein, Queenstown, King William's Town, Port Alfred, Worcester, Stellenbosch, Paarl, Ceres, Mafeking, Vereeniging, Fort Beaufort and Witbank.

As the passive resisters concentrated on technical offences for which no heavy penalties are provided, <sup>(3)</sup> the sentences imposed were at first fairly light. They varied in different centres and according to the nature of the offence, but probably averaged £2 or 30 days' imprisonment. Gradually however, heavier sentences were imposed: in Port Elizabeth, during August and September, a number of adults (including women) were sentenced to £15 or 90 days, and juveniles to four cuts each with a light cane. Whipping of juveniles was inflicted in a number of centres. In August the Minister of Justice said that the full force of the law as it existed would be employed against the passive resisters, but if action in the Court proved ineffective the Government would not hesitate to introduce "the necessary legislation" to deal with the situation.

Prisons in several centres became overcrowded, since practically all those arrested refused the option of a fine. Several magistrates decided to include a "seizure clause" (under the Criminal Procedure and Evidence Act of 1917) in warrants committing the accused, enabling prison authorities to seize money found on resisters at the time of their arrest, using it to pay their fines. It was then arranged that volunteers would go into action with no money in their pockets.

<sup>(3)</sup> No mention is made in this Report of the riots in Port Elizabeth on Oct 19th, in Johannesburg on Nov. 3rd, in Kimberley on Nov. 3th and in East London on Nov. 9th, since these occurred after the end of the period under review, and, more important, because at time of writing the causes had not been investigated. The African National Congress had, however, deplored the riots and stated that Congress had taken no part in them.

Strong police re-inforcements were moved into the Eastern Province and Border areas.

Not all arrests led to convictions, the Courts upholding the principle (established in the cases the Minister of Posts and Telegraphs v. Rasool in 1934, Rex v. Abdurahman in 1950, and Regina v. Bestenbier in 1952) that if different racial groups were segregated in post offices or at stations, facilities provided must be equal. Mr. Bestenbier, charged after entering the European queue at Elsie's River post office, was acquitted on the ground that the facilities provided were not equal. In the case Regina v. Lusu on August 26, the accused was acquitted on a charge of entering the European waiting room at Cape Town station on the ground that the waiting-room facilities there for Non-Europeans were greatly inferior to those provided for Europeans. Appeal against this judgment has been lodged.

Nineteen Non-Europeans, arrested in Port Elizabeth during July for entering the European section of a post office, and charged with obstructing the business of the post-office, were acquitted because it appeared there had been no European customers present at the time. In Johannesburg, 51 Africans, arrested for being in a public street between 11.15 p.m. and 4 a.m. without night passes, were released after their leader had been acquitted on a technicality: the police had omitted to ask each person separately whether he was carrying a pass, and there was no proof that those accused did not have passes at the time of arrest.

### **Further Government action against leaders of the campaign**

On July 30th in all the major centres of the Union, detectives searched the offices of organizations taking part in the campaign and the homes of leaders. Thereafter, early in August, 20 prominent Non-European leaders, including Dr. J. S. Moroka, President-General of the African National Congress, and Dr. Y. M. Dadoo, President of the South African Indian Congress, were arrested. They appeared in Court for a preparatory examination on August 26th, on a charge of contravening Section 11 (b) of the Suppression of Communism Act by aiming at bringing about a political, industrial, social or economic change within the Union by the promotion of disturbance or disorder. The alternative charge was that of aiming at the encouragement of violence or hostility between the European and Non-European races of the Union with the object of bringing about changes in the political, industrial, social or economic structure of the Union.

At the end of the preparatory examination the leaders were committed for trial. Counsel for Dr. Moroka said he was not applying for his client's discharge at that stage as he considered that an interpretation of the sections of the Act under which the Crown sought to label his client a Communist should be given by the Supreme Court. The cases had not come up for trial at the time of writing.

Eight more prominent leaders of the campaign were arrested in Port Elizabeth during September.

**ACTION TAKEN BY THE INSTITUTE IN CONNECTION  
WITH THE DEFIANCE CAMPAIGN****March, 1952**

During February, the Institute studied the correspondence between the African National Congress and the Government, and on March 13th released a statement (R.R. 35/52, subsequently published in the April issue of Race Relations News,) copies of which were sent to the Prime Minister, the Minister of and Secretary for Native Affairs, the President-General and Secretary of the African National Congress, and the Press.

The Institute, it was stated, shared with the Prime Minister his concern that public order must be maintained. It should be realized, however, that the African people had no adequate legitimate channel through which to express their needs and grievances, and that public demonstrations carried out in an orderly manner were a recognised legitimate method of expressing public opinion and the only effective means of expression left open to Africans.

Nevertheless, the Institute was concerned over the possibility that demonstrations might lead to disturbances, and regretted the choice of April 6th — a date with deep significance for many people — for the start of the campaign. It appealed to African leaders to defer their plans for that date.

The statement concluded, "While the Government maintains that all racial problems can be solved unilaterally within the pattern of apartheid, and the African National Congress unrealistically demands the immediate abolition of all discriminatory legislation, no real progress will be made in the achievement of a mutually satisfactory solution. The Institute is convinced that there is a third course of action possible, i.e. that the Government should meet the African leaders in order to explore, in a free and friendly atmosphere, the possibility of the progressive removal of grievances and the pursuance in mutual consultation of courses which will ensure peaceful relations in South Africa.

"The Institute, whose whole concern is peace, goodwill and understanding, will be only too glad to make its services available towards those ends."

**August, 1952**

In a press statement (R.R. 133/52) issued on 25th August, the Institute pointed out that the process of economic integration would continue inevitably and that total segregation was therefore impossible. The Prime Minister himself had made this clear. If this was so, then South Africa must admit the logical consequences — greater and more responsible participation by Non-Europeans in the life of the country.

The Institute considered that the practice of enacting legislation without consultation with the people it concerned was to beg for precisely the reaction demonstrated in the passive resistance campaign.

No adequate machinery existed through which the Non-Europeans could express their wishes: there appeared to be no other course of action for them to adopt save passive resistance.

The Institute appealed once more to the Government to meet with the leaders of the Non-European people to discuss measures which the situation demanded, and pointed out that, "Should the Government fail to do so, and should it adopt the severer method of punishment suggested, such as whipping, then the Institute considers that greater bitterness will be engendered, martyrs created, and the country hurried towards a position in which honourable compromise will no longer be possible."

This statement received very wide press publicity, as did a second (R.R. 134/52), issued on the same day, in which it was suggested that a suspended sentence, rather than whipping, should be imposed on juveniles convicted for participation in the passive resistance campaign.

The Labour Party, League of Women Voters and the Torch Commando endorsed the Institute's appeal to the Government to meet Non-European leaders. But in a speech in Johannesburg on September 6th the Minister of Native Affairs said, "The Government are not prepared to consult with law-breakers."

#### CONFERENCE HELD BY THE DUTCH REFORMED CHURCH

Following discussions held in June, 1951, between European representatives of the Dutch Reformed Churches and members of their Sotho congregations, discussions with Zulu members were held at Vryheid in May, 1952. Further talks with Xhosa members are to take place.

The Federal Missionary Council of the Dutch Reformed Churches proposes to call a conference of all established churches in South Africa to discuss the application and maintenance of Christian principles in a multi-racial land. It is suggested that each church should be invited to send one European and one Non-European delegate.

#### GENERAL WORK OF THE INSTITUTE TO HELP RESOLVE TENSIONS

##### **The Preservation of Civilization**

During the year the Institute has published three books dealing with the desirability of safeguarding "white" or "western" civilization. They are *Race or Civilization?* by Dr. A. Keppel Jones, *White Civilization* by Dr. E. E. Harris, and *—go forward in faith* by the Director of the Institute. (See also page 44).

The authors of the first two books are members of the Institute's Executive Committee: the third publication is an official statement of the Institute's fundamental beliefs.

Dr. Harris makes it clear that "white" civilization in South Africa is that imported from Europe. But this civilization is neither European

in origin nor the product of any one race. Neither race nor nationality is the essential vehicle of culture. Nor is there evidence that any culture cannot be acquired by the members of any human race.

Dr. Keppel Jones defines the values of our civilization as belief in the intrinsic value of human personality and in the fundamental rights which follow. On these beliefs have been built the rule of law and our system of representative government. The ingredients of our moral and political tradition are analysed by Dr. Harris, who concludes that the principles of Ancient Greek thought, the Roman legal system, Hebrew religious belief and the Christian doctrine all involve a free society, position in which depends solely on capacity. Dr. Keppel Jones points out how untenable the belief is that skin-colour is a true index of the civilized qualities in a man.

Our civilization, he says, can be endangered in two ways: it can come to be dominated by people who have little experience of or who reject its values, or it can disintegrate from within. On the first point, Dr. Harris shows that the persistent demand for rights by the mass of the people cannot be resisted for all time. Unless increasing opportunities are extended to them, the inevitable outcome will be the violent overthrow of White rule and everything associated with it. On the second point, he demonstrates how expedients that have been used by Europeans in the domination of Non-Europeans are now being used by Europeans against one another and threaten to displace democracy altogether. Both writers make it plain that the preservation of our civilization can be ensured only by the preservation of its intrinsic values. The questions before South Africa are whether we wish to sacrifice our civilization in an attempt to maintain the domination of the White man, and if not, how we can apply the principles of that civilization to the South African circumstances.

In — *go forward in faith*, (The Logic of Economic Integration) the Director indicates the extent to which economic integration has already taken place and concludes that total segregation would be impossible without a complete collapse of our economic structure. If this is accepted, the fundamental values of our civilization must then be realized in some form of pluralistic society.

Only by the progressive assumption by Non-Europeans of the standards of "Western" civilization and of the duties implicit in the acquisition of fundamental rights can this civilization be preserved in South Africa. There is no reason why a European group should not survive: this group has every right to preserve its white skin and its heritage if it so wishes, but it must do so with its own resources and not at the expense of other ethnic groups. To the Institute, the South Africa of tomorrow is a richly diverse country held together by the general acceptance of the principles and values of our civilization.

What the final pattern will be is impossible to guess. The only credo to which one can cling is to abjure self interest and policies of expediency, to stand firm on principle and go forward in faith, believing

that to do so is the only way to serve finally what is right and just, believing too that the use of the right means is in itself creative and that by unjust means no justifiable end can ever be attained.

### **Afrikaans-English Relations**

Assisted by a generous donation from the Abe Bailey Trust, the Assistant Director has continued and extended work aimed at achieving greater harmony between the Afrikaans-speaking and English-speaking sections of the population.

During November, 1951, the Director and Assistant Director arranged to meet representatives of the S.A. Bureau for Racial Affairs to discuss ways of overcoming ignorance and apparent antagonism between members of the two language groups. The representatives they met agreed to submit a resolution to the Executive Committee of S.A.B.R.A. in January, 1952, suggesting that an independent committee consisting of leading English and Afrikaans speaking people be formed to study causes of strained relations and to seek means of alleviating the strain. Unfortunately nothing came of this suggestion.

Later, at the Institute's instigation, a special, independent committee was set up to undertake an enquiry into the origin of inter-group antagonisms. Members are Professor, I. D. MacCrone (Chairman), Dr. S. Biesheuvel and Mr. L. T. Badenhorst. Two field-workers, Miss A. Dodson and Mrs. C. C. Wilson (one English-speaking and the other Afrikaans-speaking), have been appointed to collect material.

The Assistant Director attended the Annual Council Meeting of S.A.B.R.A. during January. He continues to give a very large number of talks on the need for better English-Afrikaans relations to Rotary Clubs and Church and other organizations.

### **Institute Reference Library**

The Institute's Reference Library, available to the public without charge, continues to supply information and literature on a very wide variety of subjects to student, research workers, government departments, manufacturing concerns, other organizations, overseas and local, and other libraries. Requests during the year totalled 1,200. A press cuttings collection is maintained. Compilation of bibliographies for people wishing to study specific aspects of South African affairs is a marked feature of the work. Much information is supplied by telephone.

Selected accessions to the Library are listed monthly in *Race Relations News*.

### **Institute Publications**

Besides producing regular monthly issues of *Race Relations News*, two issues of the *Journal*, the *Annual Survey of Race Relations in South Africa*, and thirty-five press bulletins, the Institute has published the following pamphlets during the year :



*Race or Civilization* by Dr. Arthur Keppel-Jones, published in English and Afrikaans.

*The Early History of Indians in Natal* by the Rt. Rev. C. J. Ferguson-Davie.

*The Proposed Federation of the Central African Territories* by Mr. Kenneth Kirkwood.

*Industrial Relations and Race Relations* by Dr. Guy Routh.

—*go forward in faith* (The Logic of Economic Integration) by the Institute's Director, Mr. Quintin Whyte.

*Indian Life and Labour in Natal*, a study conducted by the Department of Economics of the University of Natal, under the direction of Prof. Raymond Burrows.

"White" Civilization by Dr. E. E. Harris:

*The Findings of the National Conference convened by the Institute to study the Report of the Native Education Commission.*

The following memoranda were issued during the year and are obtainable from the Institute:

RR 168/51 *Native Housing*, by Mr. A. J. Cutten.

RR 169/51 *The New Liquor Bill*, by Mr. W. G. Hoal.

RR 172/51 *Housing Schemes for Non-European Families*, by the Institute's Technical Assistant.

RR 174/51 *Local Government for Africans in Urban Areas*, by Dr. Ellen Hellmann.

RR 2/52 *Presidential Address* by Mr. J. D. Rheinallt Jones.

RR 9/52 *Native Housing*, by Mr. A. J. Cutten.

C1017 *Native Housing*, by Mr. D. M. Calderwood.

RR 10/52 Findings of Council Meeting, 1952.

RR 36/52 Memorandum on the Urban Bantu Authorities Bill.

RR 55/52 Hansard Report of Speech by Senator Dr. the Hon. E. H. Brookes on the Report of the Native Education Commission.

RR 57/52 *Summary of the Report of the Commission on Native Education*, by Mr. K. B. Hartshorne.

RR 58/52 Statement on the New Housing Bill.

RR 62/52 Summary of and commentary on the Native Labour Relations Bill.

RR 78/52 A criticism of the Urban Bantu Authorities Bill by Mr. L. P. Green.

RR 90/52 Graphs and Diagrams to accompany the Summary of the Report of the Commission on Native Education, by the Institute's Technical Assistant.

RR 96/52 *Techniques in Race Relations* by the Director of the Institute.

- RR 98/52 *The Analysis of Social change and its Bearing on Education* by Dr. A. W. Hoernlé and Dr. Ellen Hellmann.
- RR 105/52 *The Educational Policies of Other African Territories* by Dr. H. Jowitt.
- RR 118/52 *Africa, Continent in Transition*. Report on the Christian Conference held in June, 1952, at Wittenberg College, Springfield, U.S.A. by William W. Clemes.
- RR 131/52 Memorandum on the draft Education Ordinance, 1952, (Transvaal).
- RR 150/52 *Durban Group Areas*. Statement submitted to the Land Tenure Advisory Board, written by Mr. Maurice Webb and the Institute's Director.

Other significant books dealing with race relations and South African affairs which have recently been published are:

- The Peoples and Policies of South Africa* by Leo Marquard, (Oxford University Press),
- Race and Psychology* by Otto Klineberg (U.N.E.S.C.O.)
- Race and Biology* by L. C. Dunn (U.N.E.S.C.O.)
- Race and Culture* by Michel Leiris (U.N.E.S.C.O.)
- Racial Myths* by Juan Comas (U.N.E.S.C.O.)
- The Significance of Racial Differences* by G. M. Morant (U.N.E.S.C.O.)
- Race and History* by Claude Levi-Strauss (U.N.E.S.C.O.)
- The Basuto* by Hugh Ashton (Oxford University Press)
- Great South African Christians* by Horton Davies (Geoffrey Cumberlege, O.U.P.)
- The People of South Africa* by Sarah Gertrude Millin (Constable).
- Twilight in South Africa* by Henry Gibbs (Jarrolds).
- The Dilemma of South Africa* by John Hatch (Denis Dobson, Ltd.).
- Report on Southern Africa* by Basil Davidson (Jonathan Cape).
- Attitude to Africa* by A. W. Lewis, Michael Scott, Martin Wight and Colin Legum (Penguin Special).
- Bechuanaland Protectorate* by A. Fillery (Oxford University Press).

### Joint Councils

Joint Councils of Europeans and Non-Europeans, with which the Institute's Field Officer keeps in close touch, exist in the following centres in the Union and neighbouring territories:

|   |                  |
|---|------------------|
| Aliwal North                                | Lydenburg        |
| Bloemfontein                                | Mafeking         |
| Bremersdorp                                 | Mapumulo         |
| Dundee                                      | Mbabane          |
| Durban (African and Coloured Councils)      | Middelburg       |
|   | Pietermaritzburg |
| East London (African and Coloured Councils) | Pietersburg      |

Evaton  
 Francistown  
 George  
 Germiston  
 Grahamstown  
 Hermanus  
 Johannesburg  
 Kimberley  
 Ladybrand

Potchefstroom  
 Pretoria  
 Rustenburg  
 Salisbury  
 Springs  
 Vryberg  
 Witbank  
 Zeerust  
 Zoutpansburg.

Altogether there are 33 Joint Councils.

In the large urban centres, many welfare and self-help organizations have been established during recent years, and the scope of the Joint Councils has been correspondingly narrowed. Further, in consequence of the growing spirit of "non-co-operation," fewer Coloured people in the Cape or Africans in most centres are willing to serve on Joint Councils than was formerly the case. Nevertheless the Councils continue to do useful work.

In some centres they are the only bodies carrying out welfare services among Non-Europeans. They act as liaison between township residents and local authorities: explain laws and regulations to Africans; and take up with the appropriate authorities matters requiring attention, for example, during recent months, the lack of adequate recreational facilities (East London), the problem of idle children (Springs), and the implementation of the Group Areas Act (Lydenburg).

### Study Circles

A number of study circles (some European, some African and one of mixed membership) have been established along the Reef and in other towns, for example Bloemfontein, with the object of spreading knowledge of race problems among a wider section of the public and, through the increased interest, recruiting more people to do active work. The movement flourished under the direction of Mrs. C. Rheinallt Jones and her successor, Miss M. McLarty, M.P.C., but unfortunately during the year the latter found she was unable to carry on. Lacking stimulus and assistance, certain groups have disappeared; but a number continue to hold regular meetings and to do useful practical work such as running night schools and helping at crèches.

### Public Meetings

Regional Committees of the Institute in the Western Cape and the Southern Transvaal have continued to arrange quarterly meetings for members of the Institute and others. In Durban, monthly meetings have been held. Prominent speakers have addressed the meetings on subjects connected with race relationships, discussion followed, and on some occasions films have been shown. Speakers at Cape Town meetings have included Dr. de Villiers, M.O.H. for the Cape Divisional Council, and Messrs. Williamson and Middelmann of

the Chambers of Industries and Commerce respectively. In Johannesburg, Mrs. M. L. Ballinger, M.P., Senator W. Ballinger and Mr. J. D. Rheinallt Jones, the Institute's President, have addressed meetings; and Durban speakers have been Ds. J. Reyneke, Prof. P. Connell, Dr. Visser t'Hooft, Mr. G. C. Grant, Dr. S. L. Kark, Archbishop D. E. Hurley, Mr. Alan Paton and Prof. H. R. Burrows.

### **Political Rights and Duties in other countries.**

In order to assist in the consideration of future political representation and franchise rights in South Africa, the Institute is assembling material on political rights and duties in other countries with racially mixed populations or in which religious or other minority groups exist. Four voluntary workers, Mrs. P. Skyrme-Jones, Mrs. J. Ruddock, Mr. C. Franks and Mr. L. Cohen, have very kindly assisted in this work.

### **School History Books**

Work has commenced on a survey of history text-books used in schools to determine whether their treatment of inter-group contacts is liable to give unnecessary hurt to any ethnic, religious or language group. Mrs. S. Toens has kindly gone through all the history books used in secondary schools for English-speaking children, marking dubious passages. The psychological effect on pupils of these, and of similar passages in books used in other schools, will later be tested.

The Institute noted with pleasure that the Director of Education in Natal has instructed teachers of his department to expunge passages in history books which offend Indian citizens, and has informed the publishers concerned that unless the relevant passages are omitted, no further supplies of the books will be ordered.

### **Photographic Exhibition**

During January, the Cape Western Regional Committee of the Institute held a photographic exhibition entitled "African Dilemma," showing conditions under which Africans are living. Enlarged texts gave particulars of population growth and homelessness as result of town-ward migration due to economic causes. During the exhibition, which lasted several days and which was particularly well attended, lunch-hour lectures were given on aspects of urban African life.

The photographs and texts have since been exhibited by N.U.S.A.S. in Cape Town and by the Institute in Johannesburg.

### **Other Work**

The Institute's Field Officer has, during the year, carried out a number of *ad hoc* investigations following which Head Office or the Southern Transvaal Regional Committee have pressed for conditions to be improved. The following are examples.

Conditions at the Johannesburg Pass Office were investigated. It was found that it frequently took an African three days to obtain his pass. Ten different offices had to be visited, and unless a man

joined the queues very early in the morning it often happened that he waited all day without reaching the head and receiving attention. No seating accommodation was provided, nor were there awnings to protect sections of queues which extended outside the buildings from the sun and rain.

Some time was spent at the Johannesburg Magistrates Courts investigating allegations that a certain organization was in the habit of paying bail money or fines for Africans without their knowledge, and was subsequently forcing them to sign I.O.U.'s (for as much as £13 on a £10 fine, the additional amount being for "services rendered"). The allegations were found to be true, and the Bantu Press and the Social Services Association took the matter up.

It was found that in a town in the Southern Transvaal, African rent-defaulters were being arrested on the Location Superintendent's orders without the prior issue of summonses.

Recently, European residents of a township at Grasmere asked the police to eject African families who had lived there for some years. Following representations by the Institute's Southern Transvaal Committee, it was agreed that the Africans should be allowed to remain until a township for them had been established.

*Ad hoc* investigations are carried out, too, by the Institute's Regional Offices. A member of the Cape Town staff, Mrs. N. Greshoff, with the valuable help of Mrs. Lipshitz, a voluntary worker, has been conducting an investigation into the economic circumstances of a sample of the African population of a squatters area. The Durban Office made representations to the Municipality on behalf of a number of Indian market gardeners who had received eviction orders; and pressed for the provision of more adequate transport and bus terminus facilities for Non-Europeans, and for performances to Non-European audiences by touring theatrical or concert parties.

### **Representation on and Assistance given to other Organizations**

Head Office of the Institute continues to act as secretariat to the Bantu Welfare Trust, Robert Shapiro Trust, Auden Race Relations Trust, Johannesburg Joint Council of Africans and Europeans, Witwatersrand Council of Education, and Johannesburg Indian Social Welfare Association. The Institute's Durban Office acts as secretariat to the Brandon Bantu Hostel, African and Negro Library, Natal Native Welfare Society, and the Mnini Holiday Camp. It renders much assistance to the Joint Councils in the city and the David Landau Community Centre, and maintains close association with the Commission of the Churches on International Affairs and many other bodies.

The Institute is represented on certain overseas bodies such as the International African Institute which has its head office in London, also on a large number of national organizations, amongst these being the S.A. National Council for Child Welfare, the S.A. National Council for the Mental Health, the National Council for Care of

Cripples in S.A., the Penal Reform League of S.A., the National War Memorial Health Foundation, the Social Services Association of S.A. and the National Road Safety Organization.

It is also represented on very many Provincial and local bodies in Johannesburg, Cape Town, Pretoria, Durban and East London. Members of the Institute Council, Executive Committee and staff serve in personal capacities on a wide variety of organizations. They have during the year, also assisted visitors from Africa and overseas with introductions, information and material; have addressed numerous meetings; have been consulted on a wide range of matters; and have prepared articles on request for publication by other bodies.

### GENERAL SOUTH AFRICAN AFFAIRS

#### Population Figures

Preliminary figures for the 1951 census are:—

|                       | <i>Union<br/>Total</i> | <i>Union<br/>Urban</i> | <i>S.W.A.</i>  |
|-----------------------|------------------------|------------------------|----------------|
| Europeans             | 2,643,187              | 1,972,735              | 48,588         |
| Cape Malays ...       | 63,557                 | 60,911                 | 19             |
| Other Coloured people | 1,038,766              | 609,388                | 16,881         |
| Asiatics ..           | 365,524                | 276,742                | 3              |
| Africans              | 8,535,341              | 2,011,333              | 349,110        |
| <b>TOTAL</b>          | <b>12,646,375</b>      | <b>4,931,109</b>       | <b>414,601</b> |

As the Fagan Commission pointed out, South Africa has during recent years witnessed the economic phenomenon everywhere associated with industrialization — the movement of population from the rural to urban areas. That this movement is by no means confined to the African section of the population is illustrated by the following figures, which show the percentage of the total of the racial group concerned living in urban areas

|                | 1921 | 1936 | 1946 | 1951 |
|----------------|------|------|------|------|
| Europeans      | 55.8 | 65.2 | 72.5 | 74.6 |
| Coloureds . .  | 45.8 | 53.9 | 58.2 | 60.8 |
| Asiatics . . . | 30.9 | 66.3 | 70.3 | 75.5 |
| Africans . . . | 12.5 | 17.3 | 23.0 | 23.6 |

(Calculations by the Institute from figures given in Fagan Report and preliminary 1951 census figures).

### ACTION TAKEN DURING THE YEAR UNDER THE SUPPRESSION OF COMMUNISM ACT

#### “Naming”

The Minister of Justice said in the Assembly on January 25th, that the Liquidator appointed under the Suppression of Communism Act (44/50 as amended by 50/51) had by then asked 587 persons to

submit reasons why their names should not be included in lists of officials or active supporters of the Communist Party. The State Information Office reported in October (4) that the total of "named" persons was almost 500. The Liquidator's list was now practically completed.

### **Mr. Kahn and Mr. Carneson**

A Select Committee appointed early in 1952 reported later that a majority of members had found that Mr. S. Kahn, M.P., and Mr. F. Carneson, M.P.C. (both of whom were Natives' representatives) were communists as defined in the Act. The Assembly adopted the report, and on May 25th the Minister notified the two gentlemen that they must cease to sit as members of the Assembly and the Cape Provincial Council respectively.

### **Banning of "The Guardian"**

Following investigations by an *ad hoc* committee, "The Guardian," a Cape Town newspaper, was banned during May under Section 17 of the Act. It was announced on May 27th, that a paper called "The Clarion" would be published in Cape Town from that week. The management and staff of this paper were the same as those of "The Guardian."

### **Limitations imposed on persons "Listed"**

In May the Minister sent out a number of letters to persons whose names appeared on the lists compiled by the Liquidator (several of these being prominent trade union leaders, European and Non-European), ordering them to resign from various organizations, prohibiting them from attending any gatherings other than church services and purely social or recreational functions, and, in some cases, restricting their movement to specified Provinces.

### **Action taken against Non-European Leaders**

The action taken in terms of the Act against Non-European leaders of the passive resistance campaign is described on pages 12 *et seq.*

### **Action taken against certain Trade Union Leaders**

One of those ordered to resign from his Union and to refrain from addressing meetings was Mr. E. S. Sachs, General Secretary of the Garment Workers' Union (Transvaal), an Executive member of the Trades and Labour Council, and National Treasurer of the Labour Party. Mr. Sachs was expelled from the Communist Party of South Africa in 1931, and had not been a member since. As recently as 1950 he was awarded damages by the Supreme Court against an allegation that he was a communist. He defied the Minister's order and, on May 24th, addressed a very large meeting in Johannesburg called to protest against the limitations imposed

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(4) Newsletter dated October 9th.

on certain trade union leaders. He was arrested during the meeting; disorder followed; the police made a charge with batons and sticks; and numbers of people, including women, were injured. The Garment Workers' Union then arranged a one-day protest strike on May 26th.

On June 9th, 278 delegates representing 79 of approximately 200 registered unions met in Johannesburg to discuss the application of the Act to the trade union movement. By 66 votes to 4 a resolution was passed "solemnly requesting the Government to amend the Suppression of Communism Act by providing that any official, officer or member of a trade union on whom an order is served shall have the right of appeal to the Courts." A deputation from the meeting, representing 250,000 workers, placed this resolution before the Prime Minister and the Ministers of Justice and Labour.

Several other trade union leaders, European and Non-European, defied orders issued to them by the Minister and addressed or attended meetings. Prosecutions followed, sentences of four or six months being imposed. In his judgment of one of the cases the Magistrate said, "Parliament may make any encroachment it chooses on the life, liberty or property of any individual subject to its sway, and it is the function of the courts of law to enforce its will." (Star, 16th July, 1952). Several of those convicted lodged appeals: at the time of writing two petitions lodged by Mr. Sachs had been dismissed by the Supreme Court, but leave to appeal to the Appellate Division had been granted in one instance.

On October 3rd there was a new development. Mr. S. Tefu, an African trade union organizer, had petitioned the Supreme Court for an order declaring that his "naming" was wrongful and unlawful, and removing his name from the list. He also asked that notices issued to him by the Minister in terms of the Act should be set aside. He denied that he had ever been a member or active supporter of the Communist Party. The Minister of Justice excepted to this declaration on the ground that the question of whether Mr. Tefu had been a member or active supporter of the Communist Party was not a matter of fact which it was competent for any Court to inquire into.

The Judge dismissed the Minister's exceptions and upheld those by Mr. Tefu. Parliament, he said, had not directed that the Liquidator was to settle the list rather than merely to compile it. In consequence, the Courts' jurisdiction to investigate the correctness of the objective facts of plaintiff's membership or active support, and to remedy action taken by the Liquidator, and thereafter by the Minister, on an incorrect finding of fact, had not been ousted. An application by the Minister for leave to appeal against this judgment to the Appellate Division was noted.

### **Institute attitude**

The Institute's attitude to the Act is expressed in previous Annual Reports. Briefly, while agreeing that the Government must have



the power to protect our society against threats to its safety, and while in full accord with the Government's decision to take powers against communist organizations which are dictated to in their policy and tactics by a foreign Government, it considered that certain of the provisions of Acts 44/1950 and 50/1951 might endanger perfectly law-abiding citizens and destroy some of the fundamental principles upon which the whole structure of Western civilization rests.

#### APPLICATION OF THE IMMORALITY ACT

Cases still occur in which two people, jointly accused of an offence under the Immorality Act, are tried by different magistrates and given different sentences. In Potchefstroom during May, in a case concerning a European man and an African woman, the former was acquitted while the latter was sentenced to three months' imprisonment. The Institute referred the case to the Secretary for Justice, who sent an explanation of how the discrimination had occurred. The Minister of Justice was then approached: he replied that steps were being taken to obviate, where possible, a recurrence of such disparity of treatment.

#### BANNING OF PUBLICATIONS

During September, the Government imposed a ban on sales of two publications dealing with race relations, *Behind the Colour Bar* by Dr. Kenneth Little, published by the Bureau of Current Affairs, and *Roots of Prejudice* by Professor Arnold Rose, published by U.N.E.S.C.O. (Also see page 25).

#### REFUSAL OF PASSPORTS

Chief Hosea Kutako, one of the chiefs from South-West Africa who was earlier refused a passport to appear before the Trusteeship Committee (see page 8), was in September again denied a passport when he wished to accept an invitation to preach at St. Paul's Cathedral in London on the spread of Christianity among Africans. Mr. S. S. Benghu was refused a passport to travel to the United Nations meeting to plead for the expatriation of Indians.

#### LEGISLATION PASSED DURING 1952

See Index which follows the Table of Contents.

#### BILLS POSTPONED TO THE 1953 SESSION OF PARLIAMENT

Native Trust and Land Amendment Bill (Institute commentaries—R.R.66/51 and 18/52).

Native Labour Relations Bill (Institute commentary—R.R. 62/52).  
Bantu Urban Authorities Bill (Institute commentaries—R.R. 36/52 and 78/52).

Liquor Law Amendment Bill (Institute's views expressed in Findings of Council, January, 1952, R.R. 10/52).

Bill to establish an Economic Advisory Council. (See page 59).

## GENERAL ASIATIC AFFAIRS

**Relations between the Union and India and Pakistan** (See page 7).

**Expatriation of Indians**

92 Indians left the Union during 1951 under the assisted emigration scheme; 199 during 1950; 215 in 1949; and 27 in 1948. A bonus of £40 for adults and £20 for children is paid.

**Institute Publications**

During the year, the Institute has published *The Early History of Indians in Natal* by the Rt. Rev. C. J. Ferguson-Davie, and *Indian Life and Labour in Natal*, a revised edition of a survey conducted for the Institute under the direction of Professor Raymond Burrows of Natal University.

**Liquor Permits for Chinese**

It was announced in the Government Gazette during August that Chinese are now re-included in the definition of "Asiatic" under the provisions of the Liquor Act. This means that they will in future have to be in possession of a permit to obtain liquor.

## GENERAL COLOURED AFFAIRS

**Separate Representation of Voters**

The judgments on the Separate Representation of Voters Act are summarized on page 3 *et seq.*

**Conference on Coloured Affairs**

Representatives of local authorities on the Reef and in Pretoria, the Provincial Administration, the Division of Coloured Affairs, the Land Tenure Advisory Board, the National Housing Commission, and Government Departments of the Interior, Labour, Social Welfare and Native Affairs met in Pretoria during November, 1951, to discuss matters such as housing, residential areas, employment, and education for Coloured people in Pretoria and along the Reef. The Prime Minister, who opened the Conference, said the purpose was to develop further the Coloured man's strength and pride in his own group through responsibility and economic and social uplift. The Coloured people must be treated as a separate group with its own interest and problems. The findings of this Conference have not yet been made available to the public.

**Courses for Coloured people**

A South African Association of Vacation Courses for Coloured people has been launched in Cape Town. The Commissioner for Coloured Affairs said the aim was to establish a permanent centre or centres with such amenities as playing fields, swimming baths, gymnasia, and a community hall.

## GENERAL AFRICAN AFFAIRS

**Natives' Representatives in Parliament**

In the Senate on May 14th, the Prime Minister said that if Natives showed a sense of responsibility in exercising their right to elect representatives to the House of Assembly, the position would remain unchanged. Since the Suppression of Communism Act had made it impossible for them to elect known communists, the demand for the removal of the three Natives' Representatives had diminished, and, in the circumstances, he was prepared not to proceed with that part of the *apartheid* policy seeking the removal of these representatives.

**Native Laws Amendment Act (No. 54/52)**

This Bill was held over from the 1951 Session and re-introduced during 1952. It made amendments to various earlier Acts, such as the Native Labour Regulation Act of 1911, the Native Administration Act of 1927, and the Natives (Urban Areas) Consolidation Act of 1945.

The Institute had issued a statement on the Bill (R.R.71/51) when it was first introduced. This was re-issued during the 1952 Session. A press statement (R.R. 17/52) was also sent out. The Institute pointed out that it was unable to accept some of the major premises upon which the Bill was based, for it considered that Africans should be permitted to sell their labour freely on the best market; it was further of opinion that all master-servant contractual liabilities should be civil, without criminal sanctions. Nevertheless, as the Bill was likely to be debated, the Institute submitted comments on various clauses.

Some of the more important provisions upon which comments were made were:

- (a) Under the Natives (Urban Areas) Consolidation Act, any urban local authority had the right to request the Governor-General to "proclaim" (i.e. place restrictions on the entry of Africans into) the area within its jurisdiction. The Bill proposed that this procedure be reversed by making restrictions automatically operative on a national scale, exemption therefrom having to be specifically requested. The Institute opposed this suggestion.
- (b) In terms of the Bill no African would be permitted to remain in an urban area for longer than seventy-two hours without a permit unless he was born and permanently resided there. Exceptions were made in the case of a man who had worked in one area continuously for one employer for not less than ten years, and in certain other cases. If those requiring permits were found in an urban area without such permits, it would be presumed that they had been there for longer than seventy-two hours unless the contrary was proved.

The Institute pointed out that it would be extremely difficult for an accused to prove that he had been in the area for less than the stipulated period. The threat of expulsion after seventy-two hours would force Africans to accept any type of employment offered, and would deter them from trying to improve their positions by changing their employment. Protection from expulsion should be given to property owners and their families. Areas where there are contiguous local authorities (such as the Witwatersrand) should be treated as regions, and Africans born or permanently resident in these areas be permitted to take up employment in one section of such a region without forfeiting right of domicile in another section controlled by a different local authority.

- (c) The Institute considered the clauses dealing with the summary removal of tribes or individuals, and with idle and undesirable persons, to be unnecessary in that the present law of the land makes quite adequate provision for unlawful acts and for dealing with persons whose behaviour is anti-social.
- (d) Concern was expressed that the clause dealing with kaffir beer profits might further encourage the tendency of some local authorities to follow a self-balancing policy in regard to their Native Revenue Accounts.
- (e) The Institute urged that the mobility of labour should not be restricted, and that the use of labour bureaux should not be made compulsory.

The relevant sections remained unaltered in the Act.  
(Also see page 61).

### **Natives (Abolition of Passes and Co-ordination of Documents) Act (No. 67/52)**

The purpose of this Bill, according to the Minister of Native Affairs (Senate, 27th May) was to do away with all unnecessary passes and to replace them with a simple document which would not be a nuisance to the bearer, and which would enable the police to perform their duties more easily.

The Institute's Cape Western Regional Committee examined the Bill very closely, gave evidence before a Parliamentary Select Committee (some of the alterations then suggested being accepted), and issued a press statement.

Under the Act, a strongly-bound reference book will be issued to all Africans (initially only men) over the age of 16. Pasted in front will be the identity card issued under the population registration scheme; and there will be pages for entries relating to labour bureaux and influx control, signatures of employers under whom the holder contracts to work, poll tax receipts, entries relating to any taxes imposed by Bantu authorities, and any other particulars, for example exemptions from Native law or curfew regulations. As the books are issued,

finger-prints (or, in certain cases, signatures) will be taken and recorded in a central bureau. Africans under the age of 16 who leave home to work will have to carry an identification document bearing the guardian's consent and the signature of the Native Commissioner or location superintendent.

In its evidence, the Institute welcomed the repeal of certain laws relating to travelling passes, also the fact that it will be simpler for Africans to carry a reference book instead of a number of separate papers. It noted, however, that the apparent free movement resulting from the abolition of certain travelling passes would apply only to travel to a rural area or to an urban area for a period of under four days. Control measures relating to movement to employment within restricted areas (such as permits to obtain rail tickets, entry permits for periods over three days, contracts of employment, curfew passes) would remain.

Further, the Act imposed certain new restrictions. In the eyes of most people in South Africa, any document that must be produced on demand, and particularly one associated with movement, is a "pass." By making the reference book producible on demand the Act in effect introduced a new pass which is applicable to women and to thousands of Africans, particularly in the Cape, who have hitherto not been required to carry documents demandable on the spot. Subjecting women to powers of summary arrest is liable to grave abuses and will be strenuously opposed by Africans.

### **Exemptions from the Pass Laws**

In the Assembly on May 9th, the Minister of Native Affairs said that 89,544 Africans had been exempted from the pass laws up to the end of 1950. Detailed figures for recent years were:

| <i>Year</i> | <i>Applications</i> | <i>Exemptions granted</i> |
|-------------|---------------------|---------------------------|
| 1949        | 6,981               | 3,340                     |
| 1950        | 7,977               | 3,270                     |

### **Passes for Women**

During June, the Odendaalsrus Municipality decided to make it compulsory for African women to register service contracts. This was much resented, and riots broke out at a meeting called by municipal officials to explain the scheme. One African was shot dead, and many policemen and Africans were injured. Charges of public violence were laid against 47 Africans (44 of them women): 15 women were later found guilty.

Attorneys representing those charged warned the Town Council in July that unless the scheme was discontinued, application would be made to the Supreme Court for an interdict and a declaration of rights. The Town Council replied that it did not see its way clear to giving such an assurance.

health, and the co-operative movement. Eight Departmental officials have been given a month's course on the curing of hides: the intention is for these men to teach Africans to adopt improved methods.

The Jan H. Hofmeyr School of Social Work has started community work amongst rural African populations at Mapumulo on the border of Zululand, and in the isolated Mcora valley in the Transkei, the projects being subsidized by the American Board Mission and the Chamber of Mines, respectively. Final-year students who intend working in rural areas are sent for part of the year to assist with one or other of these projects.

(g) *Mamahlola Tribe*

The Department of Native Affairs proposes to move the Mamahlola tribe from its present location on an eroded hillside in the Northern Transvaal to an alternative site nearby. The tribe objected to the new site originally proposed, and at their request, and with the approval of the Secretary for Native Affairs and the Chief Native Commissioner, Pietersburg, the President, Assistant Director and African Field Officer of the Institute visited the tribe during August. After a full investigation, they suggested a possible compromise which is being considered by the Department and the tribe.

### HOUSING

While welcoming the foundations for a more adequate housing programme that have been laid during the last twelve months and are described below, the Institute points out that determined and energetic action is now necessary to carry out these plans.

Housing projects undertaken during 1950-51, valuable as they are, are totally inadequate to cover even the shortfall that existed at the beginning of the period (estimated by Senator Dr. E. H. Brookes at 250,000 houses for Non-Europeans alone). Consequently overcrowding and squatting continue to increase: according to the Minister of Native Affairs (Senate, 23/4/51), the number of African squatters in urban and peri-urban areas has probably reached the formidable total of 200,000. The general situation continues to be complicated by uncertainty in regard to the areas which the various racial groups will be permitted to occupy under the Group Areas Act: this affects particularly the Indians.

The position in Johannesburg, particularly, has been giving increasing cause for concern. The Citizens Housing Committee and other organizations and individuals have continued their efforts to mobilize public opinion, and have emphasized that no contracts for housing for Africans have been placed by the Municipality since 1949.

It is encouraging to note that in Durban, where inadequate housing was considered to be one of the factors leading to the 1949 riots, the City Council has obtained Government authority to expropriate the shack lands at Cato Manor, which will be converted into a temporary municipal African Township.

**Measures Taken to Relieve the Position***1. Speeding up of official machinery*

At its meeting in January, 1951, the Institute's Council discussed means of overcoming the inordinate delay which has been caused in the past by the necessity for African housing plans to be submitted in turn to several different authorities. It recommended that greater latitude should be given the larger local authorities in the planning and carrying out of housing schemes.

A Government representative present considered that supervision was still necessary, even in the case of the larger local authorities; but announced that, in order to reduce delays, closer collaboration had been instituted between the Native Affairs Department and the National Housing and Planning Commission, a joint liaison committee having been formed to consider schemes submitted by local authorities. Sets of standard plans for African houses were being prepared, and in so far as these were adopted by local authorities, the necessity for scrutiny of their schemes would be reduced or eliminated.

*2. Possibilities of reducing building costs*

The National Building Research Institute of the Council for Scientific and Industrial Research has conducted a series of experiments to determine in how far it is possible to reduce the cost of African housing by effecting savings in materials and labour and through improved town planning and design.

*3. Regional Planning*

The State Information Office announces (Newsletter No. 616) that, following a conference with members of the Johannesburg City Council on 3rd October, 1951, the Minister of Native Affairs revealed that the need was discussed for legislation under which regional councils with certain statutory powers should be created with a view to collective regional planning and thereafter co-operation in African housing amongst the various local authorities in such related areas as the Witwatersrand.

*4. Emergency Camps*

The Prevention of Illegal Squatting Act, dealt with on page 13 of this report, prohibits illegal squatting and provides for emergency camps to be established by local authorities for homeless persons. While recognizing that this step is necessary, the Institute urged that before authorizing the establishment of an emergency camp, the Government should satisfy itself that the local authority concerned has effective plans for permanent housing to be built within a limited period; for otherwise emergency camps are likely to become permanent slums.

*5. Training of African Building Workers*

The Native Building Workers' Bill, dealt with fully in our last

### **Implementation of the Act in Lydenburg**

The Municipality of Lydenburg, in the Eastern Transvaal, was one of the first to apply for the implementation of the Act. Its plan involved removal of the Indian population to a new site  $2\frac{1}{2}$  miles out of town, and serious interference in consequence with the trading businesses in which many were engaged.

The local Joint Council of Europeans and Africans asked the Institute to ensure that the interests of Lydenburg Africans would be adequately watched. The Institute's Director arranged to visit the town with an advocate, but then received a letter from the Land Tenure Advisory Board saying that the African township would not be affected, and heard from Indian and Cape Coloured organizations that they were briefing counsel to appear before the Board on behalf of their people. Further action by the Institute was thus unnecessary.

After the Board had considered the Municipality's plan and heard evidence, the Chairman announced that he could not endorse the local authority's suggestions. He called for new proposals, inviting Non-European communities to submit theirs.

### **Implementation of the Act in Durban**

The exceptional complexity of the Durban population gives special importance to the application of the Act to this city. Durban Municipality has submitted its proposals to the Board. The Natal Regional Committee of the Institute has made a detailed examination of them and reports:

- (a) Under the Municipal plan, only one-fortieth of the total European population of Durban, but one-half of each of the other groups, would be displaced.
- (b) Property to the value of £9 million would be taken away from Indians and made available to Europeans; the property of which Europeans would be deprived in favour of Indians is worth £900,000.
- (c) Should the proposed displacements take place, little new accommodation would be required for displaced Europeans, but housing for some 152,000 displaced Non-Europeans would be needed.

The Institute was faced with the difficulty that it had opposed the Act and did not wish to appear to be accepting it now by making any recommendations in regard to its implementation. On the other hand, it wanted to try to minimise hardship. Finally it was decided that each situation, as it arose, would be judged on its merits. So far as Durban was concerned, the Institute would submit a statement to the Board but no alternative plan, and would also assist any group that wished to make representations in respect of its area, by placing maps, facts and figures at its disposal.

In the statement (RR. 150/52) subsequently prepared, the Institute questioned the assumption that race tensions necessarily arise out of the proximity of group to group; pointed out that the



enforced removal of 152,000 Non-Europeans but only 3,000 Europeans would cause bitter resentment, especially as no alternative accommodation was available for the Non-Europeans; and suggested that every possible effort be made to overtake the short-fall in housing and to provide for the population growth, and that the proclamation of a Group Area or the dating of an "undated" area be made contingent upon comparable alternative accommodation being available to all those to be displaced or dispossessed.

#### **Implementation of the Act in Pietermaritzburg**

Publication of the Municipality's race zoning plan for Pietermaritzburg has evoked protests from all four racial groups affected.

#### **SITING OF URBAN AFRICAN TOWNSHIPS**

The Secretary for Native Affairs wrote to the Institute's President during January outlining Government policy in regard to the siting of urban African townships. Sites selected should be sufficiently large to meet immediate housing needs and requirements for, say, 50 years ahead. Wherever possible they should be away from developed areas. Steps should be taken in consultation with Provincial authorities to prevent the establishment of European townships or small-holdings in the vicinity. Should a site not be adequately separated from areas occupied by other racial groups or from important main roads by industrial areas or natural barriers, buffer strips, normally 200 yards wide, must be created, if necessary from the location land itself.

#### **HOUSING**

Noteworthy during the year have been most useful research work by the National Building Research Institute in connection with housing types and standards, clarification of the position regarding funds for services, the Native Services Levy Act, increased use of skilled African labour in construction of housing for Africans, and wider adoption of the economic principle. Excellent progress has been made during the year in some towns, particularly along the Eastern Witwatersrand, in overcoming the shortage of housing; but in the Union as a whole provision of housing for Non-Europeans lags very tragically behind the need. While Africans are threatened with removal from certain townships in Johannesburg and Pretoria where they have possessed the right to freehold title, this privilege is not being extended to other urban African areas, where a 30-year lease of plots is the maximum security offered. The general situation continues to be complicated by uncertainty in regard to areas which various racial groups will be permitted to occupy under the Group Areas Act: this affects particularly the Indians.

#### **The Shortage of Housing**

It was reported in September that the Minister of Native Affairs had appointed an inter-departmental committee to inquire into the backlog of African housing and the problem of increasing costs. It is to be hoped that, as a result, building programmes will be much

|            |   |
|------------|---|
|            | £51,300 for hostels for Africans in Stellenbosch.             |
| O.F.S. ... | £1,745 for 7 houses for Cape Coloured people in Bloemfontein. |
|            | £19,385 for 79 houses for Africans in Bloemfontein.           |
|            | £20,000 for 24 houses for Africans in Kroonstad.              |
|            | £28,300 for 52 houses for Africans in Welkom.                 |
| Transvaal  | £490,000 for 1,270 houses for Africans in Benoni.             |
|            | £30,000 for 2 hostels for Africans in Krugersdorp.            |
|            | £29,134 for 20 houses for Africans in Klerksdorp.             |
|            | £4,300 for 1 hostel for Africans in Roodepoort.               |
|            | £47,000 for 105 houses for Africans in Vanderbijl Park.       |
|            | £31,953 for 50 houses for Africans in Vereeniging.            |

It is the local authorities who decide (subject to the Commission's approval) whether the funds for sub-economic housing should be allocated to European or to Non-European schemes: no statistical information can therefore at present be furnished by the Commission, but the majority of the sub-economic schemes are for Non-Europeans. During 1950-51, total funds taken up in loans by local authorities for African housing were £2,868,528, according to the State Information Office (Newsletter 617).

The Commission proposed to spend the £1,500,000 allocated for its own schemes during 1951-52 on building 1,144 houses, distributed as follows:

- 208 houses for Europeans on the Witwatersrand;
- 12 houses for Cape Coloured people at Protea Township, Johannesburg;
- 332 houses for Europeans in the Orange Free State;
- 34 houses for Europeans in the Northern Cape;
- 415 houses for Europeans in the Eastern Province;
- 85 houses for Europeans in the Border area;
- 58 houses for Europeans in the Western Cape.

### Further Government Housing Schemes

The S.A. Native Trust is to take full responsibility for the Umlazi Mission Reserve housing scheme, the Durban City Council co-operating where possible, and the Natal Housing Board acting as agents for the Trust. A key plan for the whole Reserve has been prepared. There will be six villages in the area: the first, an experimental one, will contain 2,000 houses for letting, 1,000 for sale, and 300 sites on which Africans can build their own homes. The Minister of Labour has waived the minimum wage clause of the Industrial Conciliation Act to allow African building workers to erect houses in these villages.

When addressing the Ciskeian Bunga on 17th October, the Secretary for Native Affairs said that the African builders' training scheme at Zwelitsha had suffered a serious setback because of the apathy of the trainees. An attempt to stimulate their interest with incentives led to a strike and the consequent dismissal of the youths concerned.

The Native Affairs Department has been responsible for several housing schemes for Africans. Up to March, 1951, 467 houses had been built and occupied at Zwelitsha. According to the Minister of Native Affairs (Senate, 30/4/51), 238 houses had then been built at Temba Village, Hamanskraal. Further villages were planned for Bischopsheuz (Pietersburg), Dalmeny (Durban), Valtyn's Location (Potgietersrust), and Thaba 'Nchu.

### **Economic Home-ownership Schemes**

Some of the recent home-ownership schemes are as follows:

*Dube Township*, Johannesburg. 99-years' lease of plot with option of renewal. Building loans up to 80 per cent of cost. Repayment over 30 years at  $3\frac{1}{2}$  per cent interest. Composite charge of £1 . 12 . 6 per month for rental and municipal services.

*Natalspruit*, Germiston. Lease of site for nine years and eleven months. Loans up to the value of £75 advanced in the form of building materials. Repayable over 10 years at  $3\frac{1}{2}$  per cent interest.

Proposed schemes are:

*Pretoria*. Scheme for Africans to build own houses under supervision. Proposed that austere houses be built, with loans up to 100 per cent of building costs, repayable over 30 years.

*Cape Town*. 30-years' lease of plot with option of renewal. Loans up to 95 per cent of building cost. Scheme limited to Africans earning £30 per month or more.

*Vukuzenzele*, Johannesburg. Scheme under consideration.

*Pietersburg*. Loans of up to £160. Lease of plot 10/- per month. Loans repayable at  $4\frac{1}{2}$  per cent interest over 5 to 10 years.

### **Economic Municipally-owned Schemes**

Several local authorities, for example, Port Elizabeth and East London, and more recently, Springs and Benoni, have found it possible to provide houses which can be leased on an ordinary economic basis while yet at a rental within the means of the majority of the Non-Europeans. In the Port Elizabeth scheme the only loss is borne by the State in providing sub-economic loans at  $\frac{3}{4}$  per cent interest; while in a scheme in Benoni there is no loss whatever, economic State loans being utilized.

### **Town Planning**

The Council of the Institute recommended in January that, in order to improve the planning of existing towns, each should evolve a master plan into which future development can be satisfactorily integrated. Buffer strips between European and Non-European areas, if necessary created from the location land itself, were advocated by the Native Affairs Department in a recent directive to local authorities that are considering extending their African townships.

Regional Planning Associations, Mining Companies in the Orange Free State and other bodies are trying to ensure that, as new urban areas develop, they will be properly planned at the start. The

Sub-economic  $\frac{3}{4}$  per cent loans may be granted for sanitation, street lighting and storm-water drainage, also for such part of the construction of roads as will allow of traffic under normal weather conditions. Because water reticulation and main electrical installations are considered to be productive services, economic ( $4\frac{1}{2}$  per cent) loan funds only are available for these.

This assistance is available for services *within* a township; but inability to find funds for linking a new township to *outside* roads and water and other mains has in the past sometimes meant that local authorities have been unable to use available housing and service loans. The *Native Services Levy Act* (No. 64/52) was designed to overcome this difficulty.

The Act provides that urban employers of male Africans of eighteen year of age or over (excluding domestic servants) shall pay to the local authority a sum of up to 2/6d. for each six days' work performed by each employee. If, however, the employer provides approved accommodation for his employees, he will be exempt. The definition of "employer" includes the Government, Railways, Provincial Administrations and local authorities. The levy will in the first instance be paid by employers in towns where there are 20,000 or more Africans; but smaller towns may later be included.

Employers are prohibited from deducting the sum payable from an employee's wages, or from reducing his wages or dismissing him because the levy has to be paid.

The resulting funds will be used for providing and maintaining water, sanitation, lighting or road services outside an African township or hostel. In certain circumstances they may also be used for subsidizing African transport services or for making loans or grants for providing and maintaining services within an African township.

When the possible imposition of a housing levy was first discussed the Institute submitted a memorandum (RR 94/49) to the Minister of Native Affairs, expressing disagreement with the principle of requiring employers to contribute to costs of housing or essential services for Africans. Such a levy, it was considered, would have unequal incidence, and a tax on profits would be preferable. Copies of this memorandum were sent to Senators, Members of Parliament and the press when the Native Services Levy Bill was being debated during 1952.

In calculating rentals in economic schemes or losses on sub-economic schemes, local authorities usually include interest and redemption of loans for necessary capital expenditure, maintenance and running costs of services. Included in the last item are often the costs of administering the township and of medical and health services. In common with several authorities on housing, the Institute has for long considered that administrative and medical service costs should be accepted as charges against the municipal rate fund: early in

\*1952 it wrote to the Institute of Treasurers asking that local authorities be urged to do so.

### **Housing Bill**

The Housing Bill was held over until the 1953 Session of Parliament. Institute's view's on it were expressed in a memorandum RR 58/52:

### **Variety of Types of Dwellings Required**

It has for long been pointed out by the Institute that an urban African community is not a homogeneous mass, but is made up of individuals at differing economic levels. In its findings at the meeting in January, 1952, the Council of the Institute recognized that, so far as housing is concerned, Africans can be divided into three main economic groups:

- (a) those who can afford to build or purchase their own house, or pay an economic rental;
- (b) those who require subsidising for a certain period;
- (c) those who can afford little or nothing for rent.

Council considered that "townships and houses therefore should be so designed as to provide for these categories a gradation of house standard and amenity. For example, the smallest income group should be housed in terrace or row houses or other multiple housing units to achieve the greatest economy of services and maintenance. The middle income group should be enabled to occupy a house with a small garden, but those able to afford it should be entitled to obtain larger stands in a village set aside for this purpose."

Springs Municipality recently decided to build a new African township, Kwa Thema, and to plan this in accordance with the needs of the people. The National Building Research Institute, in conjunction with the Municipality, undertook a detailed social survey in the existing township.<sup>(7)</sup> It was found that:

40 per cent of the families could afford to pay an economic rent or to build for themselves;

13 per cent were in the "sub-economic" group — they could afford some rent but would have to be subsidised;

47 per cent were in the "sub-sub-economic" group and, if they were to cover other essential expenses without resorting to illegal practices, could afford no rent whatsoever.

The township has been planned in accordance with these results. Africans in the economic class will be accommodated in detached brick houses which may be designed to individual taste or owner-built. Standard-type semi-detached homes will be built for those in the second group, and terraced rows of houses for the sub-sub-economic group. As a result of cost reduction studies carried out by the National Building Research Institute, it has proved possible to build the row houses at a cost of £190 per unit of three rooms with a kitchen and W.C. The township will consist of three neighbourhood units with

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(7) See paper by Mr. Jennings quoted above

central and subsidiary civic and social amenities. Seven Europeans are supervising a staff of over 100 skilled African building workers with unskilled assistants, who are erecting the houses at the rate of eight a day. The completed scheme will provide accommodation for some 40,000 people.

### **Economic Housing Schemes**

In a letter to the Institute dated 1st May, the Secretary of the National Housing and Planning Commission wrote:

"It is the policy of the Commission to house Natives economically wherever possible and with this purpose in view it aims at building houses at a cost which would enable the occupant to afford the economic rental charge, which is based on the internationally recognised standard of not more than one-tenth of the overall capital cost of the dwelling and one-fifth of the income of the occupant . . .

"Natives may . . . apply for economic loans to build their own homes on the same conditions as loans granted to Europeans; otherwise they may be provided by the local authority with materials to erect their homes on a modest scale. Such materials will be provided on a ten to fifteen years repayment basis at costs generally varying from £100 to £150. If such funds are obtained from the Commission a requirement is that the dwelling be erected on an approved plan under strict supervision by the local authority. The employment of Native artisans on these schemes is encouraged."

Several towns (Bloemfontein was the first) have adopted the policy of providing sub-economic housing only for those who cannot afford to take advantage of assisted home-ownership schemes. Some recent schemes are .

**Benoni** is planning to build 1,000 houses a year until its Non-European population is adequately catered for. Rapid progress is being made. Patented concrete blocks are used for the walls. Services are being financed by a site rent of 10/- per dwelling which will be capitalized over a ten or twenty-year period. An economic rental is charged.

**Durban** is leasing sites to Africans who wish to build their own houses. They are required to make cash deposits, and receive the balance in loans.

**Germiston** has set aside 1,000 stands for an assisted housing scheme. Loans of £75 are available, repayable over ten years.

**Johannesburg** is planning to make available 2,175 sites in Dube Township for assisted home-ownership schemes, and to allocate some £200,000 for building loans. One thousand of the sites will be set aside for the scheme to be lunched by the Citizens' Native Housing Committee in conjunction with the Johannesburg Housing Utility Company.

**Kimberley** is planning to provide building loans (repayable over 30 years) of up to 80 per cent of the value of the completed houses.

**Pietersburg** grants loans of building material up to the value of £100.

The **Umlazi Mission Reserve** scheme is economic. Africans may rent or buy houses being built by the Natal Housing Board, or may build their own. The complete scheme includes six villages of 500 houses each.

**Vereeniging** grant building loans up to £150, repayable over 30 years. A portion of a sub-economic scheme is to be converted to a 3½ per cent thirty-year loan economic selling scheme.

The Government's policy is to allow local authorities to grant land for home-ownership schemes on a leasehold basis up to thirty years, renewable for further periods should circumstances justify this. Practice of local authorities varies: in Bloemfontein the period of lease is not prescribed, the legal assumption being that it is in perpetuity while the lessee complies with the regulations; in Vereeniging the lease is on a monthly basis, renewable indefinitely; in Germiston it is on an annual basis renewable for periods up to nine years and eleven months; in Kimberley, Johannesburg and other towns it is on a thirty-year basis.

The Institute has frequently pointed out that security of tenure must be the basis of home-ownership; many Africans consider that a thirty-year lease offers insufficient security. The Institute has urged that land in urban areas be made available for freehold purchase by Africans, also that long leases be provided with right of conversion to freehold when the lessee can afford this.

### **Reduction of Building Costs**

The National Building Research Institute has carried out detailed townplanning studies, with the object of reducing costs of services, studies of possible reductions in the costs of dwellings, and studies of the social needs and living requirements of communities.

After examining the minimum standards of accommodation drawn up in 1949, a joint committee representative, too, of the Native Affairs Department and the Housing Commission prepared revised minimum standards, and the Building Research Institute then produced various type plans for housing. So far as room sizes and occupancy of dwellings are concerned, these plans are considered to be an absolute minimum. In order to facilitate planning by local authorities and standardisation of equipment, the Housing Commission has announced that these plans will be acceptable for at least three years; but if local authorities prefer to submit their own plans these must conform at least to the requirements of the minimum standards.

The social survey conducted at Springs showed how great a variety of sizes, as well as types, of houses are required. The average African family there consisted of 5·01 person; but only 13 per cent of the families were "average." In terms of the revised standards,

33 per cent of the families needed one room, 29 per cent required two, 21 per cent three rooms, 10 per cent four rooms, and 7 per cent more than four. Type plans have been drawn up in accordance.

As no further saving can be made on room sizes, the Building Research Institute has been examining whether further economy is possible in building materials and operations. Experimental houses all of the same design but incorporating different building techniques have been erected at Atteridgeville, Pretoria, and subjected to various weather conditions, artificially induced where necessary.

In a new African Township at Witbank, results of the Building Institute's research work were utilized.

A further method of reducing costs is to train and employ African building workers to build homes for their own people. Several towns are now doing so, including Benoni, Bloemfontein, Durban, Germiston, Kempton Park, Kimberley, Pietermaritzburg, Port Elizabeth, Springs, Vereeniging and Witbank. The Council of the Institute urged in 1952 that, in urban locations and villages, all future building and maintenance work should be performed by African workers. It also urged the Government to develop training schemes in centres accessible to the African. Training of African building artisans under the Native Building Workers Act (No. 27/51) has not yet commenced; the Zwelitsha scheme, although still in existence, was curtailed following a strike amongst the trainees. Vlakfontein Industrial School has proved conclusively that teams of Africans under skilled supervision can build efficiently and at reduced cost.

### **Means Tests for Tenants of Sub-economic Houses**

It was reported in February that the National Housing and Planning Commission had informed local authorities that in future they would be required to conduct an annual survey of the incomes of tenants of sub-economic houses. Unless the required income surveys were furnished, the Commission would not recommend payment by the Government of its share of the losses on the schemes. Local authorities were required to charge those tenants whose income exceed the maximum allowed an economic rental based on one-tenth of the overall capital cost of the dwelling.

The Institute considers that the method utilized in the past of determining income limits at flat rates is unsatisfactory. People with equal salaries do not necessarily have equal responsibilities. Further, the maximum income of £15 per month fixed for Africans entitled to occupy sub-economic houses is now too low: the cost of living has risen considerably since this amount was decided upon, and an income of £19 per month would be a more appropriate maximum under present conditions (Memorandum RR58/52).

### **Western Areas of Johannesburg**

The plan for the removal of Africans from Sophiatown, Martindale, Vrededorp and Newclare (where freehold title is available to them)



was reported on in the Institute's last Annual Report (page 87), as was the Institute's attitude to the proposal. The Minister of Native Affairs said in the Assembly on March 6th that he estimated some 57,800 Africans would be involved. Their removal would take 5 to 10 years. Proper compensation on a business basis would be paid to displaced owners. It appeared from the subsequent debate that Africans would not be given freehold tenure (but a maximum of 30 years' lease of plots) in the area near Orlando to which the authorities propose moving them; also that besides the usual sub-economic loans and funds for services from the employers' levy, Johannesburg would be granted special large State loans for housing schemes for those displaced.

It had earlier been announced that Johannesburg City Council had agreed to assume responsibility for implementing the scheme but that the Government reserved the right to intervene should it, in their opinion, be retarded unnecessarily or so altered as to evade the desired object.

An *ad hoc* committee of Government and City Council representatives that is investigating the question of new townships for Africans to be removed from the Western Areas has announced that it intends consulting the Africans concerned.

### **Action by the Institute's Regional Committees**

During the year, the Cape Western Regional Committee of the Institute sent a deputation to the City Council of Cape Town to represent the urgent need of housing for Africans in the Cape Peninsula.

The Southern Transvaal Committee has been particularly concerned with the inadequate provision of housing for Non-Europeans in peri-urban areas. A deputation interviewed the Administrator on the subject and submissions were later made to the Peri-Urban Areas Commission. Attention was drawn to the serious danger that when land for African settlement in peri-urban areas becomes a vital necessity, no suitable land will be available and the money paid by way of endowment by township owners will be insufficient to pay the always rising price.

The growth of industry in parts of Johannesburg previously occupied by Coloured people has created serious hardship as there is no alternative accommodation available for those rendered homeless. In the main the ejected families are in a position to pay an economic rent. A deputation from the Institute's Regional Committee met representatives of Johannesburg City Council and urged that immediate steps be taken to provide suitable housing for the families concerned.

## **RURAL AREAS**

### **Administration of Coloured communities on Crown lands**

The Commissioner for Coloured Affairs announced in December that the administration of Coloured mission stations and reserves

would be taken over by his Division, which had previously been acting as a link between the Coloured people and the Departments of Social Welfare, Lands and Native Affairs.

### **Commission on the Socio-Economic Development of Native areas within the Union of South Africa**

This Commission continued work throughout the year, touring Native areas and hearing evidence. It has assembled an expert staff which is collecting detailed information on conditions and resources and is analysing replies to questionnaires on a variety of matters.

The memoranda (RR 82/51 and 130/51) submitted by the Institute during 1951 were summarized on page 63 of our last Annual Report. During May the Commission wrote asking the Institute's views on the thesis that "economic integration of the Native in the European economy will eventually lead to (a) economic equality; (b) social equality; (c) equal political rights (full citizenship); and (d) miscegenation." The Institute's reply was subsequently published under the title . . . *go forward in faith* (see page 16).

Oral evidence was given by representatives of the Institute on May 12th and 13th and later on September 16th.

### **Inter-departmental committee on culling of cattle**

An inter-departmental committee on the culling of cattle was set up towards the end of 1951. The Institute submitted evidence during November. While recognising the Department's difficulties due to illiteracy of the people, convention and the cattle cult, it pointed out that culling could not be considered in isolation from more fundamental matters such as re-settlement of the Reserves and provision of suitable incentives to good farming. Emphasis should be laid, it was considered, on improvement of stock rather than on stock limitation. Useful investigations would be: what features of cattle are important in African eyes; what possessions other than cattle give prestige to their owners; what incentives to a money economy exist or could be introduced. The value of careful selection and training of Native Commissioners and agricultural staff was particularly stressed.

### **Mining in Native Areas**

Towards the end of 1951, the Government set up a committee to investigate prospecting and mining of minerals in Native areas.

### **Industry in the Reserves**

An inter-departmental committee on the planning of industries in and near Native areas was appointed by the Minister of Native Affairs in January. One of its terms of reference was the possible establishment of a Native development corporation.

**Land occupied by Africans in rural Areas**

Table CXLVI of the Report of the Commission on Native Education (U.G. 53/51) shows the following position as at 31st December, 1949:

|  | <i>MORGEN</i>     |
|--|-------------------|
| Land placed at disposal of S.A. Native Trust in terms of Native Trust and Land Act (No. 18/1936) ... | 10,818,115        |
| Land purchased by the Trust up to 31/12/49 ...   | 2,182,489         |
| Farms owned by tribes ... ..   | 927,158           |
| Farms and plots privately owned by Africans ...  | 648,343           |
|  | <hr/>             |
|  | 14,576,105        |
| <i>Add</i>   |                   |
| Mission stations, owned by religious bodies occupied by Africans ... ..                              | 145,472           |
| Crown Land occupied by Africans ... ..   | 1,169,528         |
|  | <hr/>             |
| <b>TOTAL ... ..</b>  | <b>15,891,105</b> |
|  | <hr/> <hr/>       |

A total of 2,989,647 morgen could still be acquired, as at 30/6/1950, by the Trust or by African tribes or individuals under the 1936 quotas. Of this land, 1,621,064 morgen was in the Transvaal, 988,043 morgen in the Cape, 380,487 morgen in Natal, and 53 morgen in the Free State. (U.G. 61/51). During the year ended 30/6/1950 the Trust purchased 58,475 morgen at a cost of £297,372.

**Tongaland**

On page 64 of our last Annual Report an outline is given of the Institute's suggestion to the Commission on the Socio-Economic Development of Native Areas that a development and re-settlement scheme for Africans be established on the Makatini Flats in Tongaland (N. Zululand). This area could be irrigated by damming the Pongola River. It was also mentioned that the Institute had urged the Prime Minister and the Ministers of Lands and Native Affairs to earmark the land for a development scheme for Africans even if the scheme could not be implemented at once. The Flats are Crown land, but have never been occupied by anyone but Africans and are surrounded by Native Reserves.

It was announced in November that the Railways and Harbours Administration had decided to send a dredger to ascertain the depth of Sordwana Bay and the safety of approach from the sea. This bay, east of the Makatini Flats in Native Reserve No. 14 might well be utilized as a port primarily for the Eastern Transvaal coal, it was reported. Railway engineers had previously investigated the possibilities of constructing a rail link: a likely route would be via the Flats and Candover to Piet Retief.

During August a party including the Prime Minister, and the Ministers of Lands and Transport made an inspection flight over

Northern Zululand. The Prime Minister was reported to have said on return that he was impressed with the possibilities of the whole scheme, which were unlimited. The Institute noted the absence of the Minister of Native Affairs from the inspection party, and earnestly trusts that should a development scheme be launched in the Makatini Flats or the Coastal strip it will be for the benefit of Africans.

### **Agricultural Staff of Native Affairs Department**

In its most recent Report (U.G. 61/51) the Department lists posts open to Africans on its agricultural staff. As at 30th June, 1950, the more senior of these posts were :

| <i>Post</i>  | <i>Basic Salary</i> | <i>Number of Posts</i> |
|--|---------------------|------------------------|
| Senior Native Agricultural Demonstrator ... ..     | £135x15- £240       | 41                     |
| Assistant Native Agricultural Overseer ... ..      | £120x12- £204       | 8                      |
| Native Agricultural Demonstrator (Forestry) ... .. | £ 84x12- £180       | 35                     |
| Native Agricultural Foreman ... ..                 | £120x12- £168       | 7                      |
| Assistant Native Engineering Foreman ... ..        | £120x12- £168       | 4                      |
| Native Engineering Assistant ... ..                | £ 84x12- £156       | 12                     |
| Native Agricultural Demonstrator                   | £ 84x12- £156       | 250                    |
| Native Female Home Demonstrator                    | £ 96x 6- £150       | 53                     |

During February, the Institute approached the Department in regard to possible bursaries and thereafter employment for two African applicants for a post-graduate course in ecology. The Department replied that there were no posts for African graduates on its agricultural staff, nor was the creation of such posts yet contemplated.

### **Betterment Areas**

The Native Affairs Department reports (U.G. 61/51) that as at the 30th June, 1950, 498 locations in Native areas had accepted the scheme for betterment areas. In 86 of these stock and grazing had been assessed for culling, and culling had been carried out in 21 locations. In addition, 1,204 farms and lots acquired by the Trust had been assessed for carrying capacity and stock numbers had been kept down accordingly. All Trust land is brought under the Betterment Areas scheme.

### **Contour ploughing**

Contour ploughing in Native areas was made compulsory in terms of a proclamation gazetted in May. Penalties up to a fine of £25 or three months' imprisonment were laid down for non-compliance. The Chief Native Commissioner of an area was empowered to exempt any piece of land from contour ploughing, also to suspend a person convicted of more than one contravention of the regulation from rights of ownership or occupation, or to cancel these rights.

**Courses for Chiefs**

The four-day experimental course for chiefs and their indunas held at Vuma Farm, Zululand, was mentioned in the Institute's last Annual Report (page 31). The main emphasis was on agriculture and animal husbandry, but talks were given, too, on law and administration, health, and the co-operative movement. Further courses for chiefs were held at Thabina, Northern Transvaal, in October, and at Fort Cox in January.

**Storage facilities for maize**

It was reported in March that the Maize Control Board was collaborating with the Department of Native Affairs in plans to provide maize storage facilities in the Reserves.

**Termination of squatter's leases of Crown land**

Complaints reached the Institute during February from Africans whose squatters' leases over a number of Crown farms in the Barberton district were being terminated on the ground that the area was required for European settlement. The Institute referred to the Secretary for Lands the question of compensation for those dispossessed; but the Department replied that it was unable to entertain any such scheme: all that the Africans would be allowed to do was to demolish their houses and other improvements and to remove the material. The Secretary for Native Affairs informed the Institute that there was no legal obligation on the S.A. Native Trust to find alternative land for squatters ejected from Crown Land, but in practice endeavours were made to do so. The Institute is pursuing this matter.

**Rural Community Welfare**

With the aid of grants from the Native Recruiting Corporation and the American Board Mission respectively, the Jan H. Hofmeyr School of Social Work (on the Governing Committee of which the Institute's President serves as chairman) has inaugurated experimental community work among rural Africans in the isolated Ncora valley in the Transkei and at Mapumulo on the border of Zululand. At Ncora a graduate of the school assisted by final year students has established clubs for boys and girls, a Sunday school, women's groups, sports organizations, a literacy class, a farmers' co-operative, and a scheme for ploughing by tractor.

**EDUCATION****REPORT OF THE NATIVE EDUCATION COMMISSION**

The major event in educational circles during the year has been the publication, late in 1951, of the *Report of the Native Education Commission* (U.G. 53/1951). The main recommendations of this Commission were summarized on page 68 of our last Annual Report. Realizing the significance of this document for the future of African

education, the Institute decided to call a National Conference to study it, and requested the Minister of Education, Arts and Science to delay any legislation based on the Report until after the findings of the Conference has been issued. He agreed that as differences of opinion existed the Report should not be acted upon precipitately, and said he hoped the Conference would be a representative one so that great value would attach to the resolutions.

The National Conference took place in Johannesburg on July 1st, 2nd and 3rd. Invitations had been sent to some 700 senior departmental officials, organizations, and missions and churches of all denominations: 274 people, representing 159 different organizations in the Union and neighbouring territories, were able to attend. Mr. K. B. Hartshorne prepared a summary of the Commission's Report (RR 57/52) for the delegates' use.

The findings of the Conference, issued in printed form by the Institute and distributed to all Senators, Members of Parliament and of Provincial Councils and senior education officials, as well as to those who attended the Conference, dealt in detail with every aspect of the education of Africans. A few of the main points made were:

1. Noting that in its terms of reference the Commission had been asked to produce a scheme of education to meet the needs of Africans "as an independent (selfstandige) race," Conference expressed the view that although ethnologically different, Africans are not culturally, economically or politically "independent," but an integral part of South African society.
2. It regretted the suggestion in the Report that missionary control of schools should be gradually abolished.
3. It welcomed the hope expressed that in the not too distant future primary education for Africans would be made compulsory, and recommended the immediate implementation of this suggestion, especially in urban areas.
4. It welcomed, too, suggestions made in the Report for the opening up of more avenues of employment for Africans.
5. It found entirely unacceptable the proposals to set up a Division of Bantu Affairs and to transfer control of education for Africans to a Bantu Education Department.
6. It considered that Africans should not be expected to play a *direct* part in the finding of any portion of the funds used for Native education.
7. It recommended that, while tuition should be commenced through the mother tongue, one of the official languages should be used increasingly as medium after Standard II.
8. It welcomed the recognition in the Report of the importance of literacy work, urged the State to take immediate steps to enable every citizen to become literate, and pressed for the establishment of a Bureau of Literature sponsored by an independent organization but adequately subsidized

## DEVELOPMENTS IN PRIMARY AND SECONDARY EDUCATION

### South Africa's school-going population

The National Bureau of Educational and Social Research has very kindly supplied the information on which the following tables are based (unless otherwise stated):

#### *Number of Children at School, 1950.*

| <i>Racial group</i> | <i>Children attending state and state-aided schools</i> | <i>Children attending private schools</i> | <i>Total number attending schools</i> | <i>Estimated total population<sup>(1)</sup></i> | <i>Percentage estimated population attending school<sup>(2)</sup></i> |
|---------------------|---|---|---------------------------------------|---|---|
| Europeans           | 467,440   | 38,036                                    | 505,476                               | 2,610,000                                       | 19.4  |
| Coloureds           | 205,949   | 1,923                                     | 207,872                               | 1,068,000                                       | 19.4  |
| Asiatics            | 56,396  | 4,263                                     | 60,659                                | 351,000   | 17.3  |
| Africans            | 742,553   | 31,108                                    | 773,661                               | 8,418,000                                       | 9.2   |
| <b>Total</b>        | <b>1,472,338</b>  | <b>75,330</b>                             | <b>1,547,668</b>                      | <b>12,447,000</b>                               | <b>12.4</b>   |

(<sup>1</sup>) Estimates for 1950 by Bureau of Census and Statistics.

(<sup>2</sup>) In considering the figures in this column it should be borne in mind that minors form a smaller proportion of the total population for the European than they do for the Non-European groups; and further, that the average school-life is much shorter for Non-European than it is for European children

#### *Percentages of children at state and state-aided schools in the various classes, 1950.*

| <i>Racial group</i> | <i>In sub-standards (A &amp; B)</i> | <i>In primary classes (Std. I-V)</i> | <i>In secondary classes (Std. VI-X)</i> | <i>Unclassified</i> | <i>Total</i> |
|---------------------|-------------------------------------|--------------------------------------|---|---------------------|--------------|
| Europeans           | 22                                  | 52                                   | 25                                      | 1                   | 100          |
| Coloureds           | 41                                  | 52                                   | 7                                       | —                   | 100          |
| Asiatics            | 38                                  | 53                                   | 9                                       | —                   | 100          |
| Africans            | 47                                  | 47                                   | 6                                       | —                   | 100          |

*Percentages of children at private schools in the various classes, 1950.*

| <i>Racial group</i> | <i>In sub-standards (A &amp; B)</i> | <i>In primary classes (Std. I—V)</i> | <i>In secondary classes (Std. VI—X)</i> | <i>Unclassified</i> | <i>Total</i> |
|---------------------|-------------------------------------|--------------------------------------|---|---------------------|--------------|
| Europeans           | 28                                  | 39                                   | 33                                      | - —                 | 100          |
| Coloureds           | 37                                  | 43                                   | 20                                      | —                   | 100          |
| Asiatics            | 37                                  | 38                                   | 25                                      | —                   | 100          |
| Africans            | 70                                  | 29                                   | 1                                       | —                   | 100          |

### **Expenditure on Education**

Provincial expenditure on education in 1949 was as follows <sup>(\*)</sup>.

| <i>Racial Group</i>            | <i>Total Provincial expenditure</i> | <i>Cost per pupil</i> |
|--------------------------------|-------------------------------------|-----------------------|
| Europeans ... ..               | £18,608,412                         | £50 0 1               |
| Coloureds & Asiatics . . . . . | £4,161,659                          | £16 17 5              |
| Africans . . . . .             | £4,894,101 <sup>(*)</sup>           | £7 5 6                |

### **Salaries of Teachers**

Improved salary scales were introduced during the year for European teachers employed by the Union and Provincial Education Departments and (after some agitation) for married European women teachers in the Transvaal. No corresponding adjustments were made to the salaries of Non-European teachers (their pay had been improved some months previously but the gap between their salaries and those of European teachers has not been narrowed).

### **Mother-tongue instruction in the Cape Province**

Until this year, mother-tongue instruction was provided for in European schools in the Cape up to and including Standard VI. During August, the Cape Provincial Council passed a new Education Ordinance which consisted of three sections, one granting salary increases to European teachers, the second removing Standard VI from primary to secondary schools, and the third limiting compulsory mother-tongue instruction to the end of Standard V, so as to allow parents the choice of language-medium for their children's secondary school education. When the Ordinance was submitted to the Governor-General-in-Council, this third section was vetoed. As few parents will want to change the medium of instruction once their children have started their secondary education, in effect compulsory mother-tongue instruction will now apply in the Cape throughout most pupils' school lives.

<sup>(\*)</sup> Information from National Bureau of Education and Social Research

<sup>(\*)</sup> See later figures on Page 52.



### **Draft Transvaal Education Ordinance**

A draft Education Ordinance which occasioned much controversy in the Transvaal was referred to a Select Committee. During August, representatives of the Institute met principals of African, Coloured and Indian schools to discuss the implications for Non-European education, thereafter submitting evidence (RR. 131/52) to the Committee. The Institute urged that Non-European educational interests should be represented on the proposed Education Advisory Council and on school boards. It opposed the suggestion that European teachers should immediately be withdrawn from Coloured and Indian schools, pointing out that at present there were insufficient highly qualified Non-European teachers, and suggesting that provided preference was given to Non-European applicants for posts when qualifications were equal, and provided merited promotion for Non-Europeans was not blocked by European teachers, the latter could still play a most important part.

The draft Ordinance suggested that no further private schools for Europeans should be subsidized. As it appeared that the relevant chapter might later be applied to Non-European education, the Institute pointed out that at present the State was far from being in a position to provide sufficient schools to accommodate all Non-European children. It urged that community effort to fill the gap should be encouraged and that as many private Non-European schools as possible should be subsidized provided they conformed to satisfactory standards.

### **Education of Coloured Children in the Cape Province**

As sufficient school buildings become available (and an energetic building programme is in progress) the Cape Provincial Administration intends progressively to extend compulsory education for Coloured children. It is hoped that from the beginning of 1954 education will be compulsory up to the end of Standard IV or the age of 14. Coloured school enrolment in the Cape rose from 67,575 in 1929 to 174,541 in 1949.<sup>(10)</sup>

### **Education of Indian Children in Natal**

Free education for Indian children in Natal is being progressively introduced: it now extends to Standard IX, and from the beginning of 1953 will apply throughout a child's school career. Unfortunately by no means all the Indian children can yet be accommodated in spite of the fact that a double session has recently been introduced in some schools. (Also see page 33). And the leakage remains high. Of 49,000 scholars in 1950, nearly 21,000 were in the Sub-Standards

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<sup>(10)</sup> State Information Office Newsletters of 30th May and 13th August.

and Standard I, and a majority do not complete the primary course.<sup>(11)</sup> Nevertheless, the expansion of Indian education in recent years has been very rapid, due to the efforts of the Provincial Administration, missions' and voluntary organizations, and the Indian community itself. Provincial recurrent expenditure (including subsidies to privately-established schools) has risen from £27,918 in 1925 to £818,210 in 1951/52.<sup>(12)</sup>

### Education of African children

Although any major developments or changes in the educational system for Africans were postponed until after the Native Education Commission had reported, normal expansion has continued. Total State expenditure on African education during recent years has been :

|         |   |            |                          |
|---------|---|------------|--------------------------|
| 1950/51 | — | £5,762,907 | ( <sup>13</sup> )        |
| 1951/52 | — | £6,424,000 | ( <sup>14</sup> )        |
| 1952/53 | — | £7,852,500 | voted. ( <sup>14</sup> ) |

Like the Indians, the African people are themselves making strenuous efforts to supplement educational facilities the State provides. The Gcumisa tribe of the New Hanover district of Natal, for example, this year requested the Minister of Native Affairs to impose a special levy of 15/- per tax-paying member for building and maintaining tribal schools. Approved community and tribal schools receive State assistance with building costs: in 1950/51 £18,000 was paid to such schools in the Transvaal (where African effort has been outstanding), £1,059 in the Cape, and £975 in Natal.<sup>(15)</sup> Voluntary African bodies, such as the African Women's Service Committees on the Witwatersrand and many others, themselves raise funds to pay the salaries of additional teachers for under-staffed schools.

Although realizing that for practical reasons it cannot yet be implemented, the Cape Provincial Education Department has accepted the principle of compulsory education for African children.

### Elsies River School

Owing to the utter inadequacy of funds available for African education, situations arise where special efforts must be made to meet urgent needs. The Cape Western Regional Committee of the Institute has been giving much practical help to a school for Africans at Elsie's River. General administrative assistance has been given, funds raised, and successful representations made to the Government in regard to the provision of teacher's salaries. Some of the teachers are still paid by the parents.

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(11) From *Indian Life and Labour in Natal*, published by the Institute

(12) State Information Office article issued March 1952.

(13) Report of Controller and Auditor General UG. 56/51 Vote 29.

(14) Minister of Education, Arts and Science in Assembly, 27th May, 1952.

(15) Report of Controller and Auditor General

## HIGHER EDUCATION

The Institute is informed by the National Bureau of Educational and Social Research that there were the following numbers of students at South African Universities in the years stated :

|          | Fort Hare<br>1950 | Other Universities<br>1951 |           | Total  |
|----------|-------------------|----------------------------|-----------|--------|
|          | Full-time         | Full-time                  | Part-time |        |
| European | —                 | 17,147                     | 1,089     | 18,236 |
| Coloured | 29                | 137                        | 16        | 182    |
| Asiatic  | 16                | 293                        | 5         | 314    |
| African  | 345               | 145                        | 4         | 494    |

These figures do not include students taking correspondence classes of the University of South Africa. In 1948 this University had an enrolment of 317 Africans.

The National Conference convened by the Institute to study the Native Education Commission's Report considered that African students should be free to apply to attend courses at the University of their choice. While of opinion that the non-segregated system of University education as practised at the Witwatersrand and Cape Town Universities is the most desirable, it recommended that other existing systems, as followed in Natal and at Fort Hare, should be allowed to continue.

## PROFESSIONAL TRAINING FOR NON-EUROPEANS

**Medical Practitioners**

The medical course that has been instituted for Non-Europeans at Wentworth College, Durban, and the Government bursaries that have been provided, were described on page 57 of the Institute's last Annual Report. Bursars are required to sign an undertaking that after graduation they will practise only amongst Non-Europeans and in an area approved of by the Government; they can however, escape from these restrictions by repaying the bursary in full (only one-half of the total amount is normally repayable).

Dr. G. W. Gale recently pointed out that whereas any medical man is entitled to refuse anyone who presents himself as a patient, if he does so under circumstances that prejudice the patient's health or life, he will then have to justify his action to the Medical Council if called upon to do so. At its bi-annual meeting in September the S.A. Medical and Dental Council considered the restrictions placed upon recipients of Government medical bursaries, and decided that in emergencies the Non-European doctors concerned should be allowed to render professional services to Europeans.

The African Medical Scholarships Trust Fund, established by students of the University of the Witwatersrand when the Government medical bursaries tenable by Africans at that University were abolished, continues to receive financial support from students and other members of the public in South Africa and overseas. By the end of 1951 it had awarded eight bursaries each of £250 a year, interest-free and repayable in after-graduation years.

### **Accountants**

While there is no legal barrier to the entry of Non-Europeans into the accountancy profession, in existing circumstances it is virtually impossible for a Non-European to be accepted for articles by a firm of European accountants. The Institute's Durban office recently investigated the position and pointed out that Non-Europeans who had served articles overseas would be permitted to practise in South Africa if they passed an examination in the law of the Union and were approved by the Public Accountants and Auditors Board as fit and proper persons to follow the profession.

### **Pharmacists**

The *Report of the Committee on Pharmaceutical Training* (U.G. 40/1951) was issued during the year. The Committee pointed out that at present it is the persons in charge of pharmacies in which apprentices can be trained who in effect determine who may or may not enter the profession; that it was almost impossible for Non-Europeans to gain acceptance as apprentices; and that students required a better background of knowledge of the fundamental sciences than they were receiving. It recommended that the Universities should be the bodies to select candidates. Pharmacy students should first attend a full-time course at a University, lasting three years and leading to the degree of B.Sc. (Pharmacy). Thereafter they should serve a one-year's pupilage in a private, hospital or manufacturing pharmacy approved by the Pharmacy Board. Persons of all racial groups should be enabled to qualify.

The Institute's Johannesburg and Durban offices have given much time and thought to the question of pharmaceutical training for Non-Europeans. So far, technical colleges only have provided the theoretical training and none of these has accepted Non-Europeans. Several are willing to do so provided a minimum of about 20 Non-Europeans enrol; but they are faced with the difficulty that equipment required to set up separate laboratories would be very costly.

To overcome the difficulty in regard to practical training the Institute last year suggested that facilities should be granted to Europeans to establish pharmacies in African townships for limited periods of say ten years, provided they agreed to train African apprentices. A pharmacist in Johannesburg subsequently expressed the wish to do so, but the scheme fell through as there were no theoretical training facilities for Africans. The Institute has also suggested on several occasions that practical training in hospital dispensaries and

wholesale manufacturing laboratories should be acceptable. It was gratified to learn during July that the Pharmacy Board had agreed to this arrangement for an experimental period. The Natal Provincial Administration subsequently resolved to accept apprentice pharmacists in provincial hospitals; but decided to start with European apprentices.

### Teachers

The National Conference convened by the Institute to consider the Native Education Commission's Report made detailed recommendations in regard to teacher training, three of the more important being that a two-year course following on Junior Certificate should as soon as possible become the standard minimum for African teachers; that third-year courses in infant-school teaching should be provided and that in all courses greater emphasis be laid on sub-standard work; and that post-Senior Certificate courses be instituted at selected training colleges.

### Nurses

There is still an acute shortage of nurses in all provinces (in spite of recent improvements in salary scales and training conditions), and strenuous efforts are being made to train sufficient Non-European nurses to take over the nursing of Non-Europeans. The Institute is informed that at present over 1,000 trained Non-European nurses are employed in provincial hospitals and that a further 1,800 are undergoing training.

Increasing numbers of Non-European nurses are gaining promotion within the service; but they suffer from the handicap that while they are required to take the same examinations as Europeans do, their standard of general education is usually lower. The Robert Shapiro Trust, administered by the Institute, is assisting deserving African girls who intend becoming nurses by providing bursaries enabling them first to complete their Junior Certificate or Matriculation courses. Last year, eighteen bursaries were awarded.

## TECHNICAL AND INDUSTRIAL TRAINING

The National Bureau for Educational and Social Research informs the Institute that during 1950, the following numbers of Non-European students were receiving technical or industrial training:

|   | <i>African</i> | <i>Coloured</i> | <i>Asiatic</i> |
|---|----------------|-----------------|----------------|
| Attending segregated classes at technical colleges ... .. | 2,037          | 1,090           | 1,679          |
| Vocational schools ... ..                                 | 794            | 479             | —              |
| Schools of industries ... ..                              | —              | —               | 186            |
| Reformatory schools ... ..                                | 774            | 776             | —              |
|   | <hr/>          | <hr/>           | <hr/>          |
|   | 3,605          | 2,345           | 1,865          |
|   | <hr/>          | <hr/>           | <hr/>          |

The Native Education Conference convened by the Institute pointed out that industry generally suffers from the lack of adequate technical and industrial educational facilities and from the restricted range of openings for the use of skills and aptitudes of Africans; agreed with the emphasis in the Commission's Report on the need for uniform certificates, syllabuses and length of course, as well as on the need for proper inspection; considered that provision should be made for theoretical and practical training within industry of African workers; and drew attention to the lack of adequate commercial training facilities for Non-Europeans.

### THE INSTITUTE'S ADULT EDUCATION WORK

The South African Institute of Race Relations continues to develop its contribution to education for Non-European adults. The work of its Adult Education Section is growing from the limits within which it deliberately worked during the early years of experiment in literacy work. Apart from experimental work there are three distinct but inter-related aspects.

#### **Field-Work**

This has settled down into a well defined pattern of supplying training services. At the request of sponsors and for an agreed fee trainers are sent to the unit concerned to train both lay and professional teachers in the use of the material. Three to four days are usually required to train ten to twenty teachers. The trainers then spend three or four days helping to initiate classes. Thereafter they pay brief visits to check up, encourage, examine and introduce any improvements in methods. With only two trainers who have also to carry a burden of routine office work, it is impossible to meet all the requests for training, but the result of the present rate of activity is 10,000 to 12,000 new literates for each year. Primers in nine languages are used.

#### **Preparation of new material**

This aspect of the work requires much more time than can be given by a total staff of three and one part-time voluntary helper. The requirements in respect of new material are now quite clear, and in preparing this the Institute is building up what is the beginning of a Bureau of Literature. During the coming year more time will be directed to encouraging Africans to write special follow-up material and books for general use. Once a Bureau of Literature is established it will be possible to publish material through existing publishing channels.

The publication of specialised material remains a problem, for, with so many languages to consider, books such as literacy primers are required in only small editions.

So far through the generosity of friends of the Institute it has been possible to publish very limited editions of experimental primers in Zulu, Sotho, Xhosa and Tsonga and one follow-up book in English

Money is also available to publish the Afrikaans and English primers and an Afrikaans follow-up book.

Three stories are being submitted for publication through commercial channels and one has already been accepted. A Health Course and an Arithmetic Course are being illustrated. Several other courses and books are in preparation.

### Projects related to Industry, etc.

Starting off from experiments in vocabulary teaching, the Adult Education Officer has recently worked out, with the co-operation of technical personnel on one of the Reef Mines, a course designed to teach functional vocabulary to mine labourers from extra-Union territories. The course is designed for use in the teaching of the actual functions as well as the vocabulary. Both materials and methods can be used and adapted in a variety of ways as components of a total practical training scheme covering all categories of mine employees.

Apart from its value educationally and industrially, the particular project mentioned makes for better understanding and efficiency among the employees of the mine concerned. It can therefore be cited as an example of a point at which the Institute's Adult Education Section has a directly positive effect in the field of race relations.

## EMPLOYMENT

### EXTENT OF ECONOMIC INTEGRATION

Although total territorial segregation remains the goal of certain groups in South Africa, it becomes less possible of achievement each day as the process of economic integration continues. Figures contained in the *Report of the Industrial Legislation Commission of Enquiry* (U.G. 62/1951) prove conclusively that Non-European labour has already become an integral and essential part of the national economy. Table 21 gives the racial composition, in 1946, of the working population in the principal industrial groups. Extracts are as follows:—

| Industry                     | Europeans | Coloureds | Asiatics | Africans |
|------------------------------|-----------|-----------|----------|----------|
|                              | %         | %         | %        | %        |
| Manufacturing ... ..         | 35.0      | 14.1      | 3.6      | 47.2     |
| Commerce and finance ...     | 56.1      | 7.4       | 7.6      | 28.9     |
| Transport and communications | 59.1      | 6.7       | 1.1      | 33.2     |
| Mining and quarrying...      | 10.7      | 0.5       | 0.1      | 88.6     |

In the manufacturing industry, there were in 1928 only 39.6 Coloured workers for each 100 Europeans: by 1948 this figure had risen to 45.9. Equivalent figures for Africans are 126.2 and 189.6 (Table 24).

The Non-European workers are by no means all employed as labourers. Analyses by the Wage Board based on wage determination made during the period 1937—1948 (excluding determinations which apply only to unskilled workers) show that, of the skilled

workers classified, 83.8 per cent were Europeans, 4.8 Coloured, 5.6 Asiatic and 5.8 African. More detailed statistics, taken from Table 28, are as follows:—

|   | Europeans | Coloureds | Asiatics | Africans |
|---|-----------|-----------|----------|----------|
| <i>Number of workers concerned in the wage determination</i> .. ..                | 86,971    | 28,462    | 14,721   | 115,093  |
| <i>Classification of workers of each racial group according to skill</i>          |           |           |          |          |
| Skilled ... ..  | 81.8      | 14.5      | 32.5     | 4.2      |
| Semi-skilled . . . .  | 16.1      | 30.2      | 31.7     | 12.3     |
| Unskilled ... ..  | 2.1       | 55.3      | 35.8     | 83.5     |
| <i>Classification of each class of skill according to racial group of workers</i> |           |           |          |          |
| Skilled .. . . .  | 83.8      | 4.8       | 5.6      | 5.8      |
| Semi-skilled . . . .  | 33.8      | 20.8      | 11.2     | 34.2     |
| Unskilled ... . .   | 1.5       | 13.2      | 4.5      | 80.8     |

Expansion of industry and increasing use of Non-European labour have resulted in the rapid growth of the urban population. In 1911, only 51.6 per cent of the Europeans lived in urban areas, but by 1951, 74.6 per cent were urbanized. Of the other racial groups the percentages living in urban areas in 1951 were: Africans, 23.6 (12.6 in 1911); Coloured people, 60.8 (45.8 in 1921); Asiatics, 75.5 (30.9 in 1921).<sup>(16)</sup> A further point of great interest made in the Report (Table 15) is the extent to which African employees in secondary industry are *permanently* urbanized. According to sample surveys by Chambers of Industries in 1950, some 45.2 per cent of 26,758 workers included in the Southern Transvaal investigation, and 42.7 per cent of 12,113 workers in Cape Town and environs, had severed all ties with the Reserves.

### THE NATIONAL INCOME

South Africa's net national income has grown from £180 million in 1917/18 to £1,114 million in 1950/51. Contributions made by the principal industries during 1950/51 were <sup>(17)</sup>:

|  |              |
|--|--------------|
| Manufacturing ... ..                       | £269,100,000 |
| Agriculture and forestry . . . .           | £204,100,000 |
| Distributive trade ... ..                  | £176,000,000 |
| Gold mining ... ..                         | £117,700,000 |
| Transport ... ..                           | £ 94,300,000 |
| Metals and minerals other than gold ... .. | £ 41,400,000 |
| Fishing ... ..                             | £ 4,500,000  |

<sup>(16)</sup> From Table II of Report and recent Census figures.

<sup>(17)</sup> State Information Office Newsletter of 2nd May, 1952.



This national income is very unequally divided between the various racial groups. According to the Industrial Legislation Commission (Table 29), in 1936 the average income per worker was: Europeans, £129·6; Coloureds, £18·8; Asiatics, £27·6; and Africans, £10·4. The relationship between the *per capita* income was: (Para 149)

|                         | Africans | Coloureds | Asiatics | Europeans |
|-------------------------|----------|-----------|----------|-----------|
| Farming ... ..          | 1        | 4·7       | 5·6      | 14·4      |
| Other Industries ... .. | 1        | 1·5       | 2·7      | 10·5      |

The unskilled wage paid in South Africa in 1938 averaged only 16·7 per cent of the skilled wage: equivalent figures were 66 per cent in Britain, 52·9 per cent in Canada, 75·4 per cent in Australia and 79 per cent in Germany. Further, although the average income per European in South Africa is far higher than that of the Non-Europeans, it was, in 1948, only about 71 per cent of the average *per capita* income in the United States and about 94 per cent of the British figure.

(Paras 260 and 201).

#### PROPOSED ECONOMIC ADVISORY COUNCIL

A Bill providing for the establishment of an Economic Advisory Council to advise the Government on the co-ordination of South Africa's economic policy and the optimum employment of its resources was read for the first time on March 29th, but, during the 1952 Session of Parliament, was not carried through the remaining stages. During March, however, the Social and Economic Planning Council was abolished to make way for the new body. The Prime Minister told the House on April 25th that, in order to achieve continuity of work, the Government intended appointing Dr. H. J. van Eck as head of the Economic Advisory Council.

#### INDUSTRIAL RELATIONS

The three most important matters on which the *Industrial Legislation Commission* submitted recommendations were the possibility of greater co-ordination of wages, mixed trade unions, and African trade unions.

It considered that the sectional approach under the present system of wage fixation by collective bargaining should be superseded by wider considerations such as the attainment of maximum national income, the equitable distribution of income and general economic stability. The establishment was recommended of a co-ordinating body to be known as the National Labour Board, consisting of an economist, a judicial authority, an authority on administration in regard to labour matters, and others. This Board would take over the duties of the Wage Board, undertake all arbitrations, and attempt to co-ordinate wage agreements by industrial councils and conciliation boards before their ratification by the Minister of Labour.

Although stating that the evidence presented was overwhelmingly against the introduction of legislation compelling segregation of the various races into separate trade unions, the Commission concluded

that mixed unions should, within a reasonable period, be separated into branches for each of their racial groups, and that no further mixed unions should be registered. (In a minority report, two members disagreed with this recommendation).

In an address given on October 3rd, 1952, the Minister of Labour is reported to have said that there were more than 200 trade unions in South Africa with a total membership of 376,000. European unions numbered 92; Non-European, 40; and mixed unions, 72. Of the 92 European unions, 45 made provision for the inclusion of Non-European members. It was the policy of the Government that there should be segregation in the trade unions, but this could not be easily achieved. The Government faced opposition from many groups, including Afrikaner trade unions. Except for liberals, opposition was based on economic reasons: segregation could easily lead to exploitation if it weakened the bargaining power of the workers: Non-Europeans could sell their services much more cheaply than could Europeans.

Thirdly, after a detailed review of the history and present administration of African trade unions, the Commission recommended that they be recognised. They should be controlled, it was considered, by the Department of Labour, in consultation with the Native Affairs Department, through the medium of "Native Trade Union Officers." Recognition would be in two stages: firstly "certification" during a probationary period, and, if then considered suitable, full recognition which would carry with it permission to participate in collective bargaining with employers through a special conciliation board. Strikes and lockouts would not be permitted except in certain defined circumstances.

In a press statement issued on September 29th, the Minister of Labour is reported to have said that the Government considered these last recommendations to be unacceptable. It did not intend granting official recognition to African trade unions; but would provide other machinery for settlement of disputes. The Minister adumbrated the terms of a proposal *Native Labour Settlement of Disputes Bill*. This, he said, would provide for Regional Labour Councils, consisting of African representatives with a European chairman, to hear grievances. Disputes that these Councils could not resolve would be referred to a National Labour Council consisting of Europeans. Members of the national body would be permitted to attend meetings of industrial councils, and, if they found any injustice to Africans, to apply to the Wage Board for an inquiry and recommendation on which the Minister could base a wage determination. No legislation other than this arising out of the Report would be introduced without prior consultation with properly established and recognised bodies representing workers and employers.

The Institute has published a summary of and commentary on the Commission's Report, by Dr. Guy Routh, entitled *Industrial Relations and Race Relations*. Its evidence to the Commission, given

during 1949, was summarized on page 24 of its 1948/49 Annual Report and was issued as memorandum RR32/49.

Action taken during the current year against certain trade union leaders under the Suppression of Communism Act is outlined on page 25.

### INCENTIVE WAGES

In the Senate on February 25th, the Minister of Labour said he was still striving for a more general introduction of incentive wages. At a conference representative of the most important employers' organizations the principle of incentive wages had been accepted, and the groups not already employing this system had undertaken to draft suitable schemes for their industries.

### LABOUR CONTRACTS

The International Labour Office reported to the U.N. Trusteeship Council in July that it was time to abolish imprisonment and fines imposed on Africans in Africa who broke their labour contracts. Penal sanctions transformed the normal contractual relationship into a form of legalized servitude "contrary to modern ideas of personal dignity and the rights of free men." These conclusions had been reached by a special committee of the I.L.O. with dissent only from South Africa, and, to a limited extent, Portugal.

### LABOUR BUREAUX FOR AFRICANS

In a press statement issued in November (RR.158/51) the Institute welcomed the Government's announcement of its intention to introduce legislation providing for the establishment of labour bureaux for Africans. It recommended that the scheme should be completely voluntary and that Africans should never be compelled to accept work not in accordance with their personal tastes or away from their homes, and it suggested that aptitude testing of applicants should be provided for.

When the enabling Act (Native Laws Amendment Act — No. 54/1952) was introduced into the Assembly, the Minister of Native Affairs said that freedom of movement would remain within non-prescribed (mainly rural) areas, and also from areas with a surplus of labour to prescribed areas where labour was in short supply. Movement to prescribed areas where there was a labour surplus would, however, be controlled. It was indicated in official statements later that every African work-seeker will be required to register, but he will be free to choose the nature of his employment and the town, provided that suitable vacancies exist there.

A central labour bureau in the office of the Secretary for Native Affairs and Regional Bureaux in the offices of the Chief Native Commissioners are now being established. Local Bureaux will later be set up in the offices of Native Commissioners (except in Johannesburg where the bureau will probably be at the pass office) or by Municipalities.

### - APTITUDE TESTS FOR AFRICANS

At the Institute's Council meeting in 1951, a paper was read on aptitude tests for Africans, devised by the National Institute for Personnel Research, and intended to assist the Chamber of Mines in selecting migrant labourers for the tasks for which they are best fitted. These tests, now further developed, group the Africans into three classes — supervisory, mechanical and non-mechanical; and may well prove valuable in other occupations besides mining.

Several local authorities, including Germiston, Springs and Benoni, are now utilizing aptitude tests in the placement of Africans through municipal employment bureaux.

### EMPLOYMENT OF NON-EUROPEANS IN THE PUBLIC SERVICE

In opening the Transkeian Bunga on April 22nd, the Chief Magistrate said that the number of salaried posts occupied by Africans in the Native Affairs Department had risen to 1,103. The increased Non-European establishment in the Police Force is mentioned on page 78. Small-scale experiments are now in progress in the employment of Coloured ticket clerks in the Western Province Railways, and African post-masters, telephone operators and telegraph messengers in the Transvaal. The Native Affairs Department has instituted a scheme to train Africans to take over certain departmental work now being done by European second-grade clerks.

### FARM-LABOUR

It is interesting to note that, in spite of complaints from certain districts of increasing labour shortage, the number of Non-Europeans employed on farms (including domestic servants) actually rose from 710,000 in 1946 to 988,000 in 1950<sup>(18)</sup>. The number of male workers increased by only 100,000 in the period, however; and roughly 1 Non-European farm employee in 3 was a woman in 1950, whereas in 1946 the proportion was 1 in 5. In Natal there is an average of 16 Non-European workers per farm, as compared with about 9 in the Transvaal, 8 in the Free State and only 6 in the Cape.

More than 2,200,000 Non-Europeans and about 470,000 white people, now live on the Union's 110,000 — odd European-owned farms.

As European farmers remain short of voluntary African labour, use of prison labour continues. This falls into three categories:

- (a) Prisoners committed to prison outstations on farms (a new farm gaol was established in the Benoni district during the year).
- (b) Prisoners released on probation to serve on farms for the unexpired portions of their sentences.
- (c) Unemployed persons who accept work on farms as an alternative to prosecution for contraventions of the pass laws.

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(18) Press article on agricultural census

Early in 1952, there were conflicting reports in the Press about the treatment of African farm labour generally in certain districts. At the time, the Institute did not possess the resources to undertake a large-scale investigation; but decided to conduct a sample survey among Africans in the second of the categories above who were returning from ten farming areas around Johannesburg to collect their wages on completion of their farm service. Results showed that while in many instances they had been treated in a satisfactory manner, some 20 per cent of the men had been subjected to ill-treatment of various kinds.

All information collected by the Institute has been passed to the Penal Reform League of S.A., which is pursuing the whole question of use of prison labour.

### MINE LABOUR

The Minister of Mines said in the Assembly on May 22nd that the mines were short of 70,000 African workers. This shortage will, of course, become progressively greater as the Free State gold mines are further developed. As at 31st December, 1951, only 35.29 per cent of the Africans employed by members and contractors of the Witwatersrand Native Labour Association were Union-citizens. 16.47 per cent came from the High Commission Territories, 34.79 per cent from the East Coast, and 13.45 per cent from territories to the North.<sup>(19)</sup> During 1951 all mines in the Union employed an average of 57,059 Europeans and 437,176 Non-Europeans.<sup>(20)</sup>

### EMPLOYMENT FOR EDUCATED COLOURED PERSONS

In his recently issued first annual report, the Commissioner for Coloured Affairs deplored the lack of suitable careers for educated Coloured youths. For most of them the teaching profession was virtually the sole avenue of employment. This state of affairs led to frustration and the development of a grudge against the community. The Government had promised that as far as possible more Coloured persons would be appointed to the public service to serve the Coloured community.

### EMPLOYMENT OF INDIANS IN NATAL

During the year the Institute published *Indian Life and Labour in Natal*, a survey conducted under the direction of Professor R. Burrows of Natal University. This survey points out that whereas in 1904, nearly 50 per cent of Natal's Indian workers were engaged in agriculture, this proportion had fallen to 25 per cent in 1936. The change in employment had been away from heavy manual work towards more skilled occupations, commercial activities and personal service. Indians engaged in commerce, teaching and well-regulated semi-skilled occupations were earning fairly good wages;

<sup>(19)</sup> Report for 1951 of Witwatersrand Native Labour Association, Ltd.

<sup>(20)</sup> Bulletin of Statistics, June, 1952.

but the large majority had a very low level of subsistence, and about a third of the Indians were merely existing.

#### EMPLOYMENT OF AFRICAN JUVENILES

The Institute's evidence to the *Inter-Departmental Committee on Native Juvenile Unemployment on the Witwatersrand and in Pretoria* was summarized on page 65 of its last Annual Report (also see R.R. 106/51). Many of the recommendations made were adopted by the Committee, whose Report was issued in October in roneoed form.

The Committee recommended that when employers are prepared to employ juveniles, Divisional Inspectors of Labour should be empowered (after consultation with bodies concerned) to issue certificates of exemption from the prescribed wage rates. It would be impracticable to compel employers to take on a minimum number of juveniles in relation to adults; but if necessary influx control in conjunction with labour bureaux could be applied effectively to induce them to absorb a sufficient number. Employment services for African Juvenile Boards and functioning in close co-ordination with municipal employment services should be established by the Native Affairs Department in Johannesburg, Pretoria and Benoni; and as soon as these placement services have been instituted, a public statement should be made by the Minister outlining the problem of juvenile unemployment, indicating the measures taken to solve it, and appealing for the co-operation of employers.

Serious consideration should be given to the extension of school facilities as a means of reducing the gap between the time juveniles leave school and their placement in employment.

Serious consideration should be given, too, to the establishment of a Camp Training Centre in the Johannesburg area, on an experimental basis, to be closely co-ordinated with the Juvenile Employment Service and administered by the Advisory Native Juvenile Affairs Board. It would prepare youths for employment by providing scholastic, technical, disciplinary and moral training. If the first camp proved successful, others should be established. Two members of the Committee were of opinion that these camps should be organized on a voluntary basis. There was no reason why children in need of care should not be admitted, but the camp administration should have the right of selection of suitable applicants. The third Committee-member recommended that the camps should be proclaimed certified institutions in terms of the Children's Act, in order to afford camp authorities a measure of control over children in need of care that would otherwise be lacking.

The Institute, which as far back as 1945 had suggested the establishment of Camp Training Centres, unsuccessfully sought an interview with the Minister of Native Affairs to urge that certain of the Committee's recommendations be implemented without delay. In spite of the recommendations in regard to placement services for juveniles, the Johannesburg Native Youth Board, a voluntary

organization which cost only £1,200 a year to run and which in 3 years had found gainful work for 2,334 youths, was allowed to close in September because of lack of funds.

## HEALTH

### THE HEALTH OF THE PEOPLE .

While statistics in respect of Europeans compare very favourably with those in other countries, it is clear that there is a vast amount of ill-health, leading often to unnecessary deaths, among the Non-Europeans.

Birth, death and natural increase rates for 1951 as given in the *Monthly Bulletin of Statistics* are (per 1,000 of estimated population):

|  | Europeans | Asiatics | Coloured<br>people |
|--|-----------|----------|--------------------|
| Birth rates ... ..                                       | 25.5      | 36.7     | 47.8               |
| Death rates ... ..                                       | 9.2       | 10.7     | 20.6               |
| Natural increase rates ...                               | 16.4      | 26.0     | 27.2               |
| Infantile death rates per<br>1,000 live births (1950)... | 36.2      | 72.0     | 141.2              |

In the Assembly on March 11th, the Minister of Health said that the average estimated expectancy of life is 66 years for Europeans, 44 years for Coloured people and 50 years for Asiatics.

Statistics in respect of Africans are not available, but it is probable that both their death and infantile mortality rates exceed those of other groups. To take one example (not an extreme one) from figures published in Annual Reports of Medical Officers of Health, in Durban during 1950/51 the African death rate was 24.4 per 1,000, and the infantile mortality rate 369.3 per 1,000 live births.

### TUBERCULOSIS

Tuberculosis, a preventable disease, remains one of the chief causes of suffering and premature death. The Minister of Health said in the Assembly on March 11th that during the year ended 30th June, 1951, the numbers of cases notified were 1,477 Europeans, 4,586 Coloured people, 1,084 Asiatics and 19,392 Africans. Death rates from tuberculosis during 1949, per 100,000 of estimated population, were 25.48 for Europeans, 448.30 for Coloured people, and 140.45 for Asiatics. On June 4th the Minister said that the rate for Africans varied from about 100 in the reserves to 600 in the largest towns.

The S.A. National Tuberculosis Association reports (Journal for August, 1952) that 55 people die every day in South Africa of tuberculosis; 20,000 every year. At least 100,000 active and mostly infectious cases exist. To deal with this situation there are in the Union only 5,012 hospital beds for tuberculosis patients. Some months ago the Association launched an appeal for £1,000,000 to

enable the provision of 8,000 further beds in 40 settlements in various parts of the country. Nine of these settlements schemes are now in operation.

### EYE DISEASES

Eye diseases are a major cause of suffering and loss of efficiency among Non-Europeans. The S.A. National Council for the Blind reports <sup>(21)</sup> that there are 31,766 blind people in the Union: 2,460 Europeans, 2,130 Coloured people, 201 Asiatics and 26,975 Africans. At the Medical Congress in September, Dr. L. F. Freed said<sup>(22)</sup> that in South Africa 200 people go blind every month. The incidence of blindness is 292 per 100,000 of the population. In one area in the Northern Transvaal, 804 out of 1,249 Africans examined had eye diseases; in Sekukuniland, 303 out of 386 were diseased. The Jane Furse Memorial Hospital in Sekukuniland reports that more than 90 per cent of Africans over a year old in the area have trachoma, which can lead to total blindness.

Dr. C. J. Blumenthal writes <sup>(23)</sup> that ten years' of clinical study of the causes of eye disease had led him to the view that malnutrition was numerically the only important cause of preventable blindness in the Union.

A first mobile ophthalmological unit for the prevention of blindness is shortly to be put into operation. The St. John Eye Hospital in Johannesburg, which caters for all racial groups in Southern Africa, was opened recently.

### GOVERNMENT ACTION DURING THE YEAR

In the Assembly on June 4th, the Minister of Health reported he had tried for the twelve months that he had been in office to achieve agreement on the centralization of health services. "I have to announce that I have been unsuccessful," he said.

The *Public Health Amendment Act* (No. 44/52) altered the composition of the National Health Council, and provided for a standard refund of 87½ per cent to local authorities for the cost of health services on which the reimbursements were previously widely varied. Because it had been found that some local authorities offered higher rates of pay than did the Government for comparable posts, a proviso was inserted in the Act that refunds of salaries of health officials would in future be made only if the emoluments attaching to the posts concerned had been approved by the Minister.

The *Post Mortem Examinations and Removal of Human Tissues Act* (No. 30/52) legalized the use of human tissues for the treatment of patients.

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(21) Press summary of Council's 11th Biennial Report.

(22) Press report.

(23) Press summary of article in September number of Medical Journal.



## EXPENDITURE ON HEALTH SERVICES

Estimated expenditure by the Central Government and Provincial Administrations, for 1951/52, on behalf of Africans only is: <sup>(24)</sup>

|  |                   |
|--|-------------------|
| General expenditure by Union Department of Health, including district medical and nursing services, refunds to local authorities on treatment of infectious diseases, emergency squatting accommodation etc. | £2,507,510        |
| Cost of accommodation and treatment of patients in state hospitals and institutions ... ..   | 1,348,415         |
| Cost of accommodation and treatment of patients in provincial hospitals and institutions, and of general health services ... ..  | 5,396,403         |
| Grants by Provincial Administrations to private hospitals and hospital boards ... ..   | 624,205           |
|  | <u>£9,876,533</u> |

Efforts to obtain comparable figures in respect of other racial groups have proved unsuccessful.

## NUTRITION

## EXTENT OF UNDER-NOURISHMENT

In the *Report of the Commission of Inquiry into School Feeding*, published late in 1951 (the main recommendations were summarized on page 68 of the Institute's last Annual Report), valuable assessments are quoted of the extent of under-nourishment in the Union. The following table showing percentage occurrence of degrees of under-nourishment in certain areas was compiled by the Commission from replies to questionnaires sent to Medical Officers:

| Racial group | Nil | Rare | Not Uncommon | General | Extensive | Total | Number of Replies |
|--------------|-----|------|--------------|---------|-----------|-------|-------------------|
| Europeans    | 3.2 | 38.9 | 30.5         | 24.2    | 3.2       | 100   | 95                |
| Bantu        | 0.0 | 5.1  | 29.6         | 40.8    | 24.5      | 100   | 98                |
| Coloureds    | 0.0 | 16.0 | 39.3         | 37.7    | 7.0       | 100   | 56                |
| Asiatics     | 0.0 | 0.0  | 14.3         | 42.9    | 42.8      | 100   | 7                 |

From replies to questionnaires sent to school principals it appeared that in the case of children examined by Medical Officers at the schools, the mean percentages for the prevalence of under-nourishment were: Europeans, 8.9; Bantu, 33.5; Coloureds, 44.1, and Asiatics, 45.0. "All the available data," the Commission reports, "point to the fact that the extent of under-nourishment in the Union

(24) From State Information Office statistics sheet issued January, 1952

is of such a nature that comprehensive and active steps should be taken to raise the nutritional standard of the population."

A world survey released in November, 1951, by the Commonwealth Economic Committee showed (press report) that because of the low consumption of protective foods by Non-Europeans,<sup>(25)</sup> the consumption of dairy produce in South Africa lags far behind that in other countries. On an average, each South African eats 6 lbs. of butter and 1 lb. of margarine a year, as against 17 lbs of each in Britain (where food is strictly rationed) and 30 lbs. of butter only in Australia. Consumption of cheese is about 1½ lbs. per head per annum in South Africa, while equivalent figures in other countries are 7 lbs. in Australia, 10 lbs. in Britain and 18 lbs. in both Switzerland and Sweden. Britons drink 260 pints of milk a year each, Americans 304 and New Zealanders 380. The latest available figures for Johannesburg show half a pint a day, or under 200 a year. Consumption of eggs in the shell in Britain is 221 per head, in Canada 276, and in the U.S.A. 395. "The comparable figure for South Africa has never been accurately assessed, but the Division of Economics and Markets puts it at 40 to 50 eggs per head and some leading poultry farmers at nearly 70."

#### INADEQUATE PRODUCTION OF CERTAIN FOOD-STUFFS

The School Feeding Commission writes, "According to estimates based on essential minimum requirements, which are much lower than the National Nutrition Council standards, and with due consideration to the food habits of the various racial groups, the position is stated by this body as follows :

| <i>Foods</i>            | <i>Production</i>  | <i>Quantities required for human consumption</i> |
|-------------------------|--------------------|--|
| Cereals                 | 4,124 million lbs. | 3,959 million lbs.                               |
| Meat, fish, eggs        | 1,339 " "          | 847 " "  |
| Milk                    | 201 " gallons      | 266 " gallons                                    |
| Fruit and vegetables    | 1,375 " lbs.       | 3,017 " lbs.                                     |
| Sugar                   | 1,105 " "          | 361 " "  |
| Fats and Butter         | 127 " "            | 161 " "  |
| Dried peas, beans, etc. | 77 " "             | 719 " "  |

"Although the production of meat, fish and eggs is apparently adequate to the needs, the consumption of these is divided unequally as between the higher and lower income groups owing to high prices."

(25) Consumption of protective foods by the European group only is probably higher in South Africa than it is in the United Kingdom.

Late in 1951 a food budget comparing the Union's food production with its needs measured in terms of accepted dietetic standards, drawn up by three officials of the Departments of Agriculture, Health and Native Affairs respectively, was published in the S.A. Medical Journal. It showed (press report) that in 1949 there was a shortfall of 4,498 tons of animal and fish proteins; 46,381 tons of fat; 53,769 tons of carbohydrates; and 1,422,981 calories.

The apparent shortage of food-stuffs is, of course, far less than the real shortage measured in terms of nutritional requirements. Economic factors, ignorance of food values and wrong food habits are the main causes of under-nourishment, in the view of the School Feeding Commission. The economic factor becomes increasingly significant as the general cost of living (as also the prices of most food-stuffs) continues to rise far more rapidly than do wages of the lower-paid workers, with the effect that protective foods become beyond the purchasing power of more and more people.

#### GOVERNMENT ACTION DURING THE YEAR

In the course of a debate in the Senate on March 10th, the Minister of Health said, "I do not believe that it will be either effective or good or the right thing to increase health services without making available to the population diets on which they are capable of keeping healthy." During the year he has taken energetic action aimed at raising nutritional standards.

A Department of Nutrition has been set up, incorporating the Directorate of Food Supply and Distribution, and to consist of technical, propaganda and research sections. Control of agricultural production and determination of prices of primary food-stuffs will, however, remain with the Department of Agriculture.

Fortified mealie meal and brown bread have been produced. The bread, enriched with a "pre-mix" of groundnut protein, milk powder, calcium carbonate and fat, is being distributed through government agencies and through ordinary commercial channels. The Department of Nutrition, which bears the cost of the "pre-mix" supplied to bakers, is now engaged in the task of persuading the more needy sections of the population to eat this fortified bread. Experiments have been undertaken in the production of iodised salt to prevent goitre, and of compressed fruits for those unable to obtain fresh fruit.

On February 8th the Minister of Agriculture said in the Assembly that he was not contemplating an amendment to the Dairy Industry Control Act to remove restrictions on the quantity of margarine that may be manufactured. There was no need for this because margarine factories were not producing to the limits of their present quotas. Later, on June 4th, the Minister of Health said that if Non-Europeans were taught to eat the fats they required for health, the country could absorb four times as much fat as it was doing. When the time had arrived when all the butter produced in the Union could be sold and

the future of the dairy industry was assured, it could be considered whether margarine should be coloured yellow.

The pre-school feeding scheme for African children in the Ciskei, started as a drought relief measure in 1945, was terminated towards the end of 1951.

It has been advocated by the Department of Nutrition that existing subsidies on certain food-stuffs should be gradually transferred to products with a higher nutritive value.

Among essential foods subsidized by the State are butter, mealies and mealie meal, wheat and wheaten products, margarine and oil cake. Margarine is subsidized to the extent of 1d. a pound, amounting to £19,137 in 1950/51, and the State paid a further £80,784 for distribution costs. It spent £27,904 on purchasing and distributing milk and milk powder to children of pre-school age under the State-aided milk scheme<sup>(26)</sup>

## SOCIAL WELFARE AND RECREATION

### LEGISLATION

The *Unemployment Insurance Amendment Act* (No. 48/52) made it possible for money from the Unemployment Insurance Fund to be used to train unemployed contributors for occupations in which vacancies exist. It also provided for payment of benefits to persons undergoing training under an approved scheme, to those who become unemployed as result of genuine illness, and to workers who become unemployed as result of a strike in an industry other than their own. In introducing the Bill (Assembly, 11th June) the Minister of Labour said that the Fund then stood at about £43 million, but the money must be handled carefully in case there was serious unemployment. He had decided to increase the scale of benefits by 20 per cent.

It will be remembered that in 1950, Africans whose earnings do not exceed £182 a year and those who are migratory labourers were excluded from the unemployment insurance scheme.

The *Silicosis Amendment Act* (No. 63/52) provided for benefits to be paid to miners suffering from pulmonary disability as well as those with silicosis or tuberculosis. European miners receive a lump sum plus a monthly pension, the amounts calculated according to the disease and the stage it has reached. Africans are paid a lump sum only, based on their previous earnings. The Institute has repeatedly urged that machinery be created for payment of pensions to Africans.

### COMMITTEE OF INQUIRY

The Report of the *Committee of Inquiry into Settlements for Physically Semi-fit and Unfit Persons* (U.G. 30/52) was published during the year. Most of the settlements concerned are for Europeans: but reference was made to the De Novo Settlement for indigent, aged or disabled married Coloured persons, and the Elandsdoorn Settlement

(26) Report of Controller and Auditor General. UG. 56/51

for disabled and detribalised Africans. The Committee considered that a full investigation was necessary to determine whether the former scheme was fulfilling a useful purpose. It was convinced that the latter scheme was not doing so, and suggested that it be converted into an institution for the care of African blind or tuberculars, or into a retreat to provide for Africans convicted on a charge of begging or vagrancy. It was impressed with work being done by semi-fit Coloured ex-servicemen employed in sheltered employment factories, and recommended that such employment be made available to civilian disabled Coloured people.

The *Inter-Departmental Committee appointed to investigate the abuse of dagga in the Union* completed its work during 1951: its report will be issued shortly. According to the Department of Social Welfare <sup>(27)</sup> there were 15,395 convictions for dagga offences during 1949, and 14,016 in 1948 — 185 Europeans, 10,676 Africans, 205 Asiatics and 2,950 Coloured people.

A *Committee of Inquiry into the Financing of Welfare Organizations* commenced its work during the year. The Institute gave evidence relating to its finances.

### CONFERENCES

All Welfare organizations were invited to send representatives (Europeans only) to a *National Conference on Alcoholism* held in Pretoria during November. The Conference appointed a committee to make representations to the Minister of Social Welfare on the rehabilitation of alcoholics and the combating of inebriacy.

### WELFARE ORGANIZATIONS BOARDS

The National Welfare Organization Board reports <sup>(28)</sup> that up to October, 1951, it had registered 1,459 welfare organizations since the Act requiring this came into operation in 1947. Two members of the Institute's Executive Committee served on the Board appointed for the period 1947/1952.

Local Welfare Boards have been established in Johannesburg, Cape Town, Durban, Pretoria, Bloemfontein, Kimberley, Port Elizabeth and East London.

### STATE EXPENDITURE ON ALLOWANCES, PENSIONS AND WELFARE SERVICES

In his budget speech on March 26th, the Minister of Finance announced that cost of living allowances would be adjusted as from April 1st to the official index figure for the quarter ended February, 1952, constituting an increase of 25 per cent in the maximum allowance payable to government employees. A similar percentage increase would be made in bonuses payable to civil and military pensioners,

(27) Report for 1949/51 UG 69/51

(28) UG 39/52

and war veterans', old age and blind persons' pensions and maintenance grants and family allowances would also be increased.

The Treasury has authorised the extension of the scheme of subsidizing sheltered employment projects for disabled ex-volunteers to provide for the admission of disabled civilians to a maximum number of 350 out of the total of 1,800 employees permitted to be engaged at these projects.<sup>(29)</sup>

Latest available figures showing State (and, in a few cases, also Provincial) expenditure on social services are as follows:—

| <i>Item</i>  | <i>Year</i> | <i>Europeans</i>  | <i>Coloureds</i> | <i>Asiatics</i> | <i>Africans</i>      |
|--|-------------|---|------------------|-----------------|----------------------|
|  |             | £   | £                | £               | £                    |
| Children's Maintenance grants and parents' allowances      | 1949/50     | 692,364   | 353,181          | 145,836         | 45,380               |
| Family allowances  | 1949/50     | 69,558  | 22,610           | —               | —                    |
| Maternity allowances                                       | 1951/52     |   | 70,190           |                 | 7,804                |
| Disability grants  | 1949/50     | 773,451   | 130,256          | 31,697          | 188,000<br>(1950/51) |
| Poor Relief  | 1950/51     | 55,540<br>Plus £169,271 for all racial groups<br>of Department of Health              |                  |                 | 25,000               |
| Blind persons' pensions                                    | 1950/51     | 72,835  | 49,933           |                 | 170,000              |
| Old age pensions   | 1950/51     | 4,392,865   | 1,018,666        |                 | 1,199,000            |
| War Veterans' pensions                                     | 1950/51     | 2,256,136   | 15,742           |                 | —                    |
| Grants to needy ex-members of the N.M.C.                   | 1950/51     | —   | —                | —               | 24,364               |
| Grants to families of leper patients and to arrested cases | 1950/51     | 4,374   | 1,836            | 204             | 27,532               |
| Unemployment Relief  | 1950        | Europeans, Coloureds, Asiatics and African women — £967,231<br>African men — £141,798 |                  |                 |                      |
| Workmen's Compensation                                     | 1950        |   | 2,394,188        |                 | 753,798              |
| Silicosis Benefits (sufferers and dependents)              | 1951/52     |   | 1,259,444        |                 | 333,825              |

(29) Report of Controller and Auditor General, UG 56/51, page 346.

| <i>Item</i>  | <i>Year</i> | <i>Europeans</i>   | <i>Coloureds</i> | <i>Asiatics</i> | <i>Africans</i> |
|--|-------------|--|------------------|-----------------|-----------------|
| School feeding   | 1951/52     | £ 871,359  | £ 503,652        | £               | £ 600,000       |
| Relief work and pre-school feeding in distressed areas                   | 1950/51     | —  | —                | —               | 4,679           |
| State institutions for children  | 1950/51     | £12,490 provided for Coloured and African institutions   |                  |                 |                 |
| Schools for handicapped children   | 1950/51     | 97,380   | 45,597           |                 |                 |
| Settlements for semi-fit and unfit persons                               | 1950/51     | £109,470 provided for Europeans, Coloureds, and Africans |                  |                 |                 |
| Work Corps   | 1950/51     | 3,330  | —                | —               | —               |
| Sheltered employment and re-adjustment services                          | 1950/51     | £405,411 provided for Europeans, Coloureds, and Africans |                  |                 |                 |
| Wage subsidisation of aged or semi-fit persons employed by public bodies | 1951/52     | £183,884   |                  |                 | —               |
| Medical expenses for injured State employees                             | 1950/51     | £209,824 approx.   |                  |                 |                 |
| <b>Grants in aid made by State</b>                                       |             |  |                  |                 |                 |
| Societies for the blind  | 1949/50     | £48,392  |                  |                 |                 |
| Societies for the deaf   | 1949/50     | £770   |                  |                 |                 |
| Societies for cripples   | 1949/50     | £200   |                  |                 |                 |
| On behalf of epileptics  | 1949/50     | 5,631  | —                | —               | —               |
| On behalf of prisoners   | 1950/51     | £11,450 provided   |                  |                 |                 |
| <b>Subsidies Paid by State</b>   |             |  |                  |                 |                 |
| Creches  | 1950/51     | £56,320 provided for Europeans, Coloureds, and Africans  |                  |                 |                 |
| Boys' and Girls' Clubs   | 1950/51     | £8,300 provided for Europeans, Coloureds, and Africans   |                  |                 |                 |
| Places of safety and detention for children                              | 1950/51     | £36,750  |                  |                 |                 |

| <i>Item</i>                  | <i>Year</i> | <i>European</i>   | <i>Coloureds</i> | <i>Asiatics</i> | <i>Africans</i> |
|------------------------------|-------------|---|------------------|-----------------|-----------------|
| Children's institutions      | 1950/51     | £466,000  |                  |                 |                 |
| On behalf of inebriates      | 1950/51     | £11,300   | —                | —               | —               |
| Social Workers               | 1950/51     | £40,400   |                  |                 |                 |
| Community Centres            | 1950/51     | £13,842 provided for Europeans, Coloureds, and Africans |                  |                 |                 |
| Community Restaurants        | 1950/51     | £965  |                  |                 |                 |
| Soup kitchens                | 1950/51     | —   | —                | —               | £725            |
| Hostels for low paid worker  | 1950/51     | £15,000   |                  |                 |                 |
| Homes for the aged           | 1950/51     | £95,885   |                  |                 |                 |
| Work classes for needy women | 1950/51     | £8,575  |                  |                 |                 |
| Legal aid bureaux            | 1950/51     | £5,500  |                  |                 |                 |
| Housecraft school            | 1950/51     | £2,000  | —                | —               | —               |
| Central Registers            | 1950/51     | £2,750  |                  |                 |                 |

N.B. Information obtained from Reports of Controller and Auditor General (U.G. 56/51), Social Welfare Dept. (U.G. 69/51), Native Affairs Dept. (U.G. 61/51), and kindly supplied by State and Provincial authorities.

#### CASE-WORK CARRIED OUT BY THE INSTITUTE

The case-work carried out at the Institute's Head Office by the Field Officer, assisted by the Assistant Director, has doubled since last year. About 136 cases have been handled during the last twelve months, the majority concerning provision of employment or difficulties experienced under the pass laws. The case-work section of the Institute's Cape Town Office has felt itself to be increasingly handicapped, for the majority of Africans requesting assistance are people who have transgressed influx control regulations, and with these regulations being made progressively more stringent, little can be done to help them. Mrs. Greshoff, in charge of the section, is drawing up a memorandum, based on the work of the office over a long period, on the operation of the pass laws in the Western Cape and their practical effects.

#### SERVICE COMMITTEES

African women in the townships surrounding Johannesburg have formed a number of Voluntary Service Committees to raise funds for



and to administer and carry out projects needed in their neighbourhoods, for example schools, day nurseries and feeding schemes.

#### BROADCASTING AMENDMENT ACT (No. 34/52)

This Act empowered the South African Broadcasting Corporation to supply programmes over wires as well as by radio, and thus to introduce a re-diffusion service for Africans.

This service, already initiated at Orlando, Johannesburg, is run by a private company. The S.A.B.C. supplies special radio programmes which are transmitted by landline to a central relay station and from there to loudspeakers hired by subscribers for 5/3d. a month.

#### RECREATION

Administrators, employers and voluntary workers are increasingly recognizing the need for extended recreational facilities for Non-Europeans. To take three examples only, during 1952 the Cape Western Regional Committee of the Institute has been concerning itself with the recreational needs of Africans in the Sea Point area; the Round Table in Durban, working in collaboration with the Cato Manor Community Welfare Huts Committee, has established a recreational and sports centre for Africans at Cato Manor; a voluntary committee to which the Institute gave some assistance is promoting a scheme for a clubhouse, with reading and lecture rooms, a cafeteria and indoor games, for African domestic servants in the North-Eastern suburbs of Johannesburg. The National War Memorial Health Foundation has now established 5 community centres of its own, 4 more in rented premises and 3 playgrounds: apart from one of the playgrounds these facilities are for Non-Europeans. Y.M.C.A. work among Non-Europeans has been extended considerably during the year: the Institute's Durban office has given much assistance, particularly with the developments in Durban where the Y.M.C.A. has become responsible for recreational activities at the Bantu Social Centre. Despite all this valuable work, recreational facilities for Non-Europeans, particularly in urban areas, are pitifully inadequate.

In September, Jake Tuli, an African from Johannesburg on a visit to Britain, won the Empire fly-weight boxing title. Realizing that public opinion and the authorities were unlikely to favour a bout in South Africa between a European and a Non-European, the South African fly-weight champion has challenged Mr. Tuli to a fight in Lourenco Marques or overseas.

#### MNINI HOLIDAY CAMP

The Durban office of the Institute has actively concerned itself with the provision of a holiday camp for Africans at the mouth of the Inyani River.

#### ADMINISTRATION OF JUSTICE

##### LEGISLATION AND REGULATIONS

*The Criminal Sentences Amendment Act* provided that persons under 50 years of age convicted of certain offences, including robbery and

house-breaking with intent to commit an offence, should be sentenced to whipping (not exceeding ten strokes), with or without imprisonment. Courts were empowered to suspend the sentence in whole or in part.

As a result, according to a Press report, in four days during August, three Transvaal judges dealt with 139 Non-European and 5 European review cases in which 72 Non-Europeans were sentenced to receive in all, 381 strokes. During 1950, 64 persons were sentenced to receive lashes with a "cat" and 4,336 with a cane<sup>(30)</sup>. This number probably rose considerably during 1952 as result of the new Act and through use of the cane on juveniles taking part in the defiance campaign.

Regulations under the Native Administration Act of 1927, designed to bring Native civil courts more into line with present day requirements, were gazetted in November.

### CONVICTIONS BEFORE UNION COURTS

During 1951, a total of 1,098,693 persons were convicted before Union courts. Detailed figures were:

|   | <i>Europeans</i> | <i>Africans</i> | <i>Asiatics</i> | <i>Coloureds</i> | <i>Total</i> |
|---|------------------|-----------------|-----------------|------------------|--------------|
| Convicted before Union courts   | 140,815          | 822,699         | 22,664          | 112,515          | 1,098,693    |
| Convictions for serious crime only                                    | 10,130           | 46,787          | 1,099           | 11,068           | 69,084       |
| Percentage of total number of convictions that were for serious crime | 7                | 6               | 5               | 10               | 6            |
| Percentage of total population convicted of serious crime             | 0.4              | 0.5             | 0.3             | 1.0              | 0.5          |

*Specific offences expressed as percentage of total number of convictions.*

|                                  | <i>Europeans</i> | <i>Africans</i> | <i>Asiatics</i> | <i>Coloureds</i> |
|----------------------------------|------------------|-----------------|-----------------|------------------|
| Liquor Laws — drunkenness        | 8                | 4               | 6               | 27               |
| Liquor Laws — other              | 2                | 21              | 3               | 9                |
| Traffic and Municipal offences   | 56               | 7               | 42              | 13               |
| Native control (Pass Laws, etc.) | 3                | 21              | 2               | 0                |
| Trespass, assault, theft         | 7                | 23              | 11              | 24               |
| All other                        | 24               | 24              | 36              | 27               |

<sup>(30)</sup> Annual Report of Director of Prisons for the year 1950. UG. 73/51

*Number per thousand of total population convicted of specific offences.*

|                                  |      |      |      |      |
|----------------------------------|------|------|------|------|
| Liquor laws — drunkenness        | 4.4  | 3.8  | 3.3  | 27.5 |
| Liquor laws — other              | 0.8  | 20.0 | 2.0  | 9.2  |
| Traffic and Municipal offences   | 29.9 | 7.0  | 25.7 | 12.7 |
| Native Control (Pass Laws, etc.) | 1.6  | 20.0 | 1.5  | 0.1  |
| Trespass, assault, theft         | 0.4  | 21.9 | 6.6  | 25.1 |
| All other                        | 12.6 | 23.6 | 22.6 | 27.4 |

These figures, calculated by the Institute from returns in the Monthly Bulletin of Statistics, are of great interest, pointing, as they do, to the poverty and frustration among Coloured people, leading to drunkenness and theft; and re-inforcing the recommendation, so often made by the Institute, that serious consideration should be given to the revision of the pass laws and liquor laws as affecting Africans. During 1951, 21 per cent of all convictions of Africans were for contravention of the pass laws: one per fifty of the total African population was sentenced for such an offence <sup>(81)</sup> (and this was before the commencement of the defiance campaign). The same figures applied for illegal possession of liquor, unauthorized beer gatherings, etc. In other words, one per twenty-five of the total African population (men, women and children) was convicted for an offence which was technical rather than moral.

A large proportion of those so convicted were probably introduced, or re-introduced, to prison life through inability to pay fines imposed. Of the sentenced prisoners admitted to goals during 1950, over half (59.9 per cent) had sentences of one month or under. Each year, South Africa's prison population increases: on the last day of 1947 there were 23,873 prisoners in custody; 24,267 in 1948; 26,662 in 1949; 27,639 in 1950<sup>(82)</sup>. During 1950, the daily average number of prisoners was 28,440 (0.2 per cent of the total population), costing the State £1,845,192<sup>(83)</sup>.

### LEGAL AID BUREAUX

Legal Aid Bureaux, subsidized by the State to an extent of £5,500 in 1950/51, continue to operate in Cape Town, Johannesburg, Durban, Pretoria, Port Elizabeth and Bloemfontein. The Institute, which initiated the first Legal Aid Bureaux, has representatives on the committees of the first four of these.

### ILICIT LIQUOR RAIDING — BOKSBURG CASE

In the Magistrate's Court in Boksburg on September 1st, Frans Banda, an African, who had claimed damages for assault alleged to have been committed on him by the police in a liquor raid, was

<sup>(81)</sup> It is realized, of course, that in some cases the same person was convicted more than once.

<sup>(82)</sup> Annual Report of Director of Prisons for the year 1950 UG 73/51

<sup>(83)</sup> Report of Controller and Auditor General. UG. 56/51. Vote 25.

awarded judgment for £50 with costs. The Magistrate said he was not satisfied that the Police Sergeant in charge of the raiding party had reasonable grounds for believing that illicit liquor might be found on Mr. Banda's premises, and the latter was therefore justified in resisting unlawful intrusion by the police<sup>(34)</sup>.

#### CIVILIAN GUARDS IN JOHANNESBURG AFRICAN TOWNSHIPS

It was mentioned in the Institute's last Annual Report (page 63) that, early in 1951, the Joint Location Advisory Boards of Johannesburg had urged that, as the police force was unable adequately to deal with the reign of terror being imposed by "tsotsis" in many African townships, African civilians be enrolled as civic guards or special constables to assist the police. Although this recommendation (supported by the Institute in a letter to the Commissioner of Police) was not accepted, Africans nevertheless formed self-protection units. In his report for 1951, the Manager of the Johannesburg Non-European Affairs Department said he considered these units were, in general, playing a worth-while role in suppressing crime, apprehending evil-doers and confiscating dangerous weapons; although sometimes patrols showed a tendency to go beyond the powers normally conferred on "peace officers." The Inter-Departmental Committee on Native Juvenile Unemployment on the Witwatersrand and in Pretoria recommended that serious consideration be given to sanctioning the civilian guard groups under police supervision and providing them with facilities for enforcing law and order in African residential areas.

A combined deputation from the Institute and the Penal Reform League met the Commissioner of Police and urged that this recommendation be accepted. He replied that as the Emergency Regulations under which the Non-European Civilian Guard was created during the last war had since been repealed, there existed no legal machinery for the resuscitation of such an organization. Instead, the police force in African townships would be augmented by considerable numbers of African policemen who would be given increasing authority as they proved capable of assuming it.

#### GOVERNMENT POLICY FOR POLICING OF NON-EUROPEAN AREAS

At a parade on September 24th, the Minister of Justice is reported to have said that the Government's policy was that in police work, Non-Europeans would be served by members of their own race. Eventually all police stations in African areas would be staffed by Africans. It had been agreed, during the year, that an additional 2,000 Non-European policemen should be recruited, which would raise the Non-European establishment to nearly 10,000.

Extended powers for Non-European police in the magisterial districts of Johannesburg and King William's Town had been gazetted in March, and African non-commissioned officers have now taken

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(34) Press report

over from Europeans at the Moroka, Orlando, Eastern Township (Johannesburg), Zwelitsha, New Brighton and other police posts.

### UNREST AT NEWCLARE, JOHANNESBURG

For some time there has been unrest in African townships along the Reef between the "Russians" (groups generally composed of Africans fairly recently arrived from rural areas, frequently members of Basuto tribes) and the older township residents. During the first few months of 1952, ill-feeling in Newclare culminated in a series of clashes between the "Russians" and the Civilian Guards, during which there were a number of deaths. The police intervened to stop the fighting; but it appeared to be impossible for them to prevent further outbreaks. In May, about 250 families decided to leave their homes in South Newclare to escape incessant gang warfare and to establish a squatters' camp in two squares in the Northern portion of the township.

At the time of writing, the squatters are still there. For reasons which have not been made public no police action has been taken against the gang leaders. The Institute is informed that the possibility of repatriating certain leaders to their homes in Basutoland was explored, but that this step did not prove feasible. On hearing, during July, that Johannesburg City Council had ordered the squatters to vacate their camp, the Institute sent a deputation to the Chief Native Commissioner to press for action to restore law and order in South Newclare.

The City Council asked the Chief Magistrate to serve an eviction order on the grounds of bad health conditions in the camp. The squatters were granted a hearing before the Court, but, it subsequently appeared, were given no opportunity of replying to certain evidence. They refused to return to their homes unless assured of adequate police protection. At the end of the hearing the Deputy Chief Magistrate ordered them to remove from the squatters' camp by midnight on July 10th, failing which they would be forcibly removed to the emergency camp at Moroka. On this date, however, they petitioned the Supreme Court, and on August 19th the magistrate's order was set aside on the grounds of "gross irregularity" in its issue.

During August and September discussions took place between representatives of the City Council and the Ministers of Native Affairs and Justice. The Minister of Native Affairs subsequently said he rejected both banishment of alleged gang leaders and the meeting out of punishment as offering no permanent remedy. His suggested solution was that the population of Newclare should be moved, as part of the comprehensive Western Areas scheme, to a new area where they would be provided with plots and services and allowed to build their own homes. A buffer zone should divide ex-residents of Southern from those of Northern Newclare.

On hearing of this, the Institute issued a press statement reiterating its misgivings about the proposal to move all Africans from

the Western Areas (see page 87 of last Annual Report); pointing out that removal of the law-abiding people from Newclare as well as the troublemakers was surely capitulation to illegality; and once more urging the authorities to ascertain which individuals were responsible for the trouble and to re-establish law and order.

The Minister of Native Affairs is reported to have said on October 4th that, the City Council having turned down his suggested solution as being impractical, he would have no further dealings with them on the Newclare squatter question.

Through its Field Officer, the Institute has kept in close touch with conditions and developments at Newclare.