

# THE GREAT BETRAYAL

by Alan Paton

A great deal has been written in this last month about the thirty years of National Party rule, a period which began on 26 May, 1948, when Dr. Malan with the aid of Mr Havenga's Afrikaner Party, commanded an absolute majority of five over all comers.

Malan drove Smuts out of virtually every Afrikaans-speaking seat in the country. Yet Smuts polled 50% of the total vote, and Malan and Havenga together polled 40%. This was due to the electoral provision which allowed rural seats to be underloaded 15% and urban seats to be overloaded 15%. Thus Smuts was defeated because of the provision that he had himself agreed to in 1909 at the National Convention which prepared the way for the Union of South Africa.

26 May 1948 was the end of an era, and the beginning of another. The National Party began the total re-structuring of South African society, the fundamental principle being the political, educational, social, cultural separation of the races. The new laws were of two kinds; the first were laws of racial separation, the second were laws to deal with the opposition, the security laws in fact.

The forerunner of the security laws was the Suppression of Communism Act of 1950, which gave the Minister of Justice the power to restrict drastically the liberty of any person whom he considered to be advancing the aims of Communism, and therefore to be challenging law and order and threatening the security of the State. This is the process known as "banning" and under it members of the old Liberal Party were restricted, among them Peter Brown, E. V. Mahomed, the Hills of Durban, Elliot Mngadi.

The Suppression of Communism Act must be regarded as marking a water-shed in our history, and in the history of law and the liberty of the citizen. For the first time, except in times of war, the liberty of a man or woman could be drastically restricted without any recourse to a court of law; the restricted person had no right to know why the Minister had decided to restrict him, nor could he or she appeal to a court of law.

So began the process which has continued, and accelerated, up to the present day, whereby Parliament put the Minister of Justice above the Courts of Law. Parliament next gave him power to *detain* by the mere issue of edict, and ultimately the power to *detain without access*. Detention without access will almost inevitably lead to one thing, inhumanity perhaps followed by death. That was the fate of Steve Biko, at whose inquest the Chief Magistrate of Pretoria delivered the incredible finding that "on the available evidence the death cannot be attributed to any act or omission amounting to a criminal offence on the part of any person." This verdict did incalculable damage to white South Africa's standing with the West, and at home increased further our cynicism about the administration of Justice.

The laws of racial separation also destroyed many liberties that would be taken for granted in many countries. The three forerunners were the Mixed Marriages Act of 1949, the amended Immorality Act of 1950, and the Group Areas Act of 1950. The Bantu Education Act of 1953 was designed to take away any provincial or Christian missionary responsibility for black education, and to make

black education fit the existing status of black people, in other words to give them an inferior education. According to Dr. Verwoerd the new Bantu education would have both feet firmly planted in the reserves. The Act replaced instruction through the medium of English in the lower standards with instruction in an African language, and laid down that when official languages, i.e., English and Afrikaans were introduced as media of instruction, half the subjects must be taught through the one and the rest through the other.

The Bantu Education Act must be regarded as one of the most important of the separation laws, because in 1976 it to a large extent collapsed when it was rejected by the children of Soweto. The word "Bantu" has now gone, the equality of English and Afrikaans is no longer insisted upon, nor the obligation to teach all primary school subjects through the medium of an African language.

Thus we see in 1978 that the whole structure of racial separation is beginning to break down. The laws that were made to give security to Afrikanerdom are now seen — by those who are able to think — to endanger its future. And there can be no doubt that the whole future of Afrikanerdom the future of all white people, the future of our Asian population, and also — but in a different way — the future of the African and Coloured populations, are all of them unpredictable, except that one can say with certainty that the day of black liberation has drawn measurably nearer.

It is generally admitted — except by people like the Prime Minister — that South Africa is in crisis. And in my view it is wholly justifiable to maintain that the immediate cause is the way we have been governed in the last thirty years. But this article is historical rather than political, and its aim is to show that the seeds of crisis were sown long before the National Party came to power in 1948. Its aim is to show that the terrible laws of the last thirty years had their terrible forerunners, the consequences of which were foreseen by outstanding black leaders and by a few outstanding white ones, notably W.P. Schreiner. Its final aim is to pay tribute to those black leaders who fought for the cause of black liberation as long ago as the beginning of this century.

The Anglo-Boer War of 1899-1902 is not one of the proud events of British history. The Boers, that is the Voortrekkers, conquered the tribes of the north and established the two republics of the Orange Free State and the Transvaal. But the discovery in the Transvaal of the richest gold deposits in the world, the consequent influx of white foreigners most of whom were British, the power dreams of Rhodes and Milner, put an end to the Boer hopes that they would be left in isolation.

The British won the war and were ashamed of it, and when the Liberal Sir Henry Campbell-Bannerman became Prime Minister in 1905 he was determined to make reparation to the defeated republics. In 1906 he gave responsible government to the Transvaal and in 1907 to the Orange River Colony, which then became again the Orange Free State. The next step was obviously to bring these two new British colonies, together with the old colonies, the Cape and Natal, together in a federation or union to be known as the Union of South Africa.

Campbell-Bannerman's gesture was widely regarded as generous and magnanimous. Seldom in history had such a thing been seen. The very idea of a union of two British colonies and two defeated republics was breath-taking. But the generous gesture contained one tremendous flaw. It took no account of the wishes of the large majority of the inhabitants of the proposed union. At the National Convention of 1909 all the representatives were white. There was not even an African or Coloured representative from the Cape Province, which since 1853 had given the franchise to every male British subject "without distinction of class or colour". Was this perhaps a conciliatory gesture to the two Boer republics?

It is widely held that of all the causes of the Great Trek of 1836, the desire to get away from any kind of racial equality was the most weighty. When the British finally annexed the Cape in 1806, they interfered with the established conventions relating to master and servant. The statement regarding the emancipation of the slaves made by Anna Steenkamp, niece of Piet Retief, has become historic.

And yet it is not so much their freedom which drove us to such lengths as their being placed on an equal footing with Christians, contrary to the laws of God, and the natural distinction of race and colour, so that it was intolerable for any decent Christian to bow down beneath such a yoke, wherefore we rather withdrew in order thus to preserve our doctrines in purity.

This language is noble but the underlying reality is not. It is one of the deep mysteries of Afrikaner Nationalist psychology that a Nationalist can observe the highest standards of behaviour towards his own kind, but can observe an entirely different standard towards others, and more especially so if they are not white\*. Quite a number of slaves had become Christians, but that did not prevent Anna Steenkamp from using the word "Christians" as though it meant "whites".

This attitude towards race and colour was enshrined in the constitution of the Transvaal Republic – "no equality in Church or State", and it was implicit in that of the Orange Free State. Yet seven years after their capitulation in 1902 this principle was about to be enshrined again, but this time in the constitution of the new Union of South Africa. It had been said cynically that the Boers won the Anglo-Boer War in 1909 and it has been said several times since, notably in 1948.

The National Convention decided that every Member of Parliament in the new Union must be of European descent. The Cape Colony agreed to this, but insisted that it should retain its own non-racial franchise, by virtue of which an African or Coloured male with certain qualifications, of education or property, could exercise the parliamentary vote. The Convention finally agreed to this, but demanded and secured the fatal provision that the Cape franchise could be amended or abolished by a two-thirds majority of both Houses of the Union Parliament sitting together.

The Convention finally agreed on one other provision which was to have tremendous consequences for our future history. It agreed that the electoral quota for rural constituencies would be 15% lower than the average quota and that the quota for urban constituencies would be 15% higher. It is odd to recall that such a provision already existed in the Cape Colony, and ironic to reflect that it ultimately destroyed the Cape franchise. The rural constituencies were largely Afrikaans-speaking, and 85 of their voters were made equal to 115 voters in the urban constituencies which were largely English-speaking. It was this provision which gave the Nationalists their first slender victory in 1948.

The proposed new Constitution was strongly criticised by African clergy and journalists. They convened a Native Convention which met in Bloemfontein in March 1909, declaring that the British Government had "fundamental and

specific obligations towards the Native and Coloured races . . ." The Constitution was opposed by Dr Abdurahman's African People's Organisation. In this same year W.P. Schreiner, former Prime Minister of the Cape Colony, led a delegation consisting of Abdurahman, Rubusana, John Tengo Jabavu, John Dube and himself to London, to urge the British Parliament and people not to countenance a colour bar in the Union Constitution.

All four black delegates were notable men. Abdurahman was one of the first Cape Malay doctors, Rubusana became the first and last African to be a member of a Provincial Council, Jabavu was the second African to pass the Matriculation examination, and a century ago founded the Native Electoral Association which helped James Rose-Innes to get into Parliament in 1884. Dube founded the Ohlange Institute, the Natal Native Congress in 1900, and the Zulu paper "Ilanga lase Natal" in 1903.

The delegation to London was not successful. The colour bar was enshrined in the new Constitution. The Union of South Africa came into being in 1910. The two leading white parties were the South African Party led by Botha and Smuts and the Unionist Party led by Sir Thomas Smartt. Both disapproved of racial mixture, both favoured segregation and both took it for granted that the future of South Africa, certainly as far as could be foreseen, would be decided by its white people.

The first step in the strengthening of segregation and white supremacy was the Mines and Works Act of 1911 which reserved certain occupations for white workers. But the Act which spelt perpetual subordination for African people, and which was recognised as doing so by all their political leaders, was the Natives Land Act of 1913. Black and white were forbidden to buy land in the other's areas; thus 70% of the people were condemned to hold in perpetuity approximately 13% of the land. Thus was established the pattern of land-holding which troubles every thinking South African who observes it, the beautiful white farms many of a thousand or more acres, often alongside an impoverished reserve, where a black farmer is lucky to get three or four acres. Thus the white Parliament virtually said to every black man, one thing you will never be in your own country, and that is a farmer in any true sense of the word. Thus also was pronounced the doom of Roosboom, Kumalosville, and Besterspruit where black owners had acquired land legally in the early years of the century. Thus was the way prepared for the "resettlements" of today, whereby owners of small substantial houses and gardens and a few cows and goats, are "resettled" in tents, huts, prefabricated units, on the bare and inhospitable veld, on plots which were mere fractions of an acre. Now can be seen the true meaning of Anna Steenkamp's words "we rather withdrew in order to preserve our doctrines in purity."

In those days Selby Msimang was a young man not yet thirty, and about to embark on his long political career. But for him the Natives Land Act was a milestone in black history, a betrayal fit to rank with the establishment of the Union of South Africa, and the first step in the destruction of the Cape franchise in 1936. In 1912 black politics took a nation-wide shape with the founding of the South African Native National Congress, soon to become the A.N.C. Dr. Pixley Seme was its founder and John Dube its first president. Walter Rubusana, Sol Plaatje and Alfred Mangena were founder members, and young Msimang was its clerk-typist.

John Tengo Jabavu did not take part in these new moves. He founded the South African Races Congress, and in 1913 made the great error of supporting the Land Act, in the belief that one must "trust" the Government. That was the end of his political influence.

In 1914 Dube, Rubusana, Msare, Mapikela and Plaatje went to London to protest against the Land Act, but were told that these were times of war, not propitious for the discussion of such matters. In 1919 Plaatje, J.T. Gumede, L.T. Mvabaza, Selope Thema and the Rev. H.R. Ngcayiya again went to



London, and then to Versailles, where they found another South African delegation led by Hertzog, asking for the return of the two republics. Neither delegation was successful because of the fact that the Union of South Africa was a self-governing dominion. The Plaatje delegation was advised to return to their country and to submit their grievances to the Union Government.

When Hertzog, with the help of the Labour Party, came to power in 1924, his prime aims were to protect the white worker, to solve the poor-white problem, to advance the cause of sovereign independence, and to amend the Cape franchise which was a continuing affront to all Northern Nationalists. The Wage Act of 1925, the Mines and Works Amendment Act of 1926, the Flag Act of 1927, the Native Administration Act of 1927, the Native Urban Areas Amendment Act of 1930, and the Status Act of 1934, advanced these aims, and confirmed the subordinate status of all black Africans.

These were the days of the I.C.U., the Industrial and Commercial Workers' Union, of Clements Kadalie, A.W.G. Champion, and Selby Msimang, of Charlotte Maxeke the pioneer woman in politics, of Dube, Z.R. Mahabane, Seme, in A.N.C. politics, and D.D.T. Jabavu acting separately. Yet although African politics was in disarray, African opinion was united in its opposition to Hertzog's plans to amend the Cape franchise. It took Hertzog twelve years to overcome the obstacle of the constitutional entrenchment that demanded a majority of both Houses sitting together. In 1934 the way suddenly became clear. Partly for economic reasons, partly for reasons of white racial amity, Hertzog's National Party fused with Smut's South African Party to form the United Party. But it seems reasonably certain that Hertzog had a further reason; only with Smuts's help could he amend the Cape franchise. It should be noted here that Hertzog rejected the argument of many of his followers that the passing of the Status Act in 1934 had made the entrenchments no longer binding.

Hertzog had continuously amended his franchise proposals between 1924 and 1936. In 1936 they were finalised. All African voters were to be removed to a separate roll, and they could elect three white members of Parliament. All male adult Africans in the Union could elect four white senators, and could elect representatives to a new Natives Representative Council to be presided over by the white Secretary for Native Affairs. No more Africans would be admitted to the common roll\*2. As a compensation for the loss of common-roll rights, Africans were to be allotted another 15, 000, 000 acres to add to the 22, 000, 000 acres of the Native Reserves. Today, 42 years later, this allotment has not yet been completed.

Hertzog's first intention in 1936 was to abolish the Cape African franchise altogether. Black reaction was strong. The Cape Native Voters Convention condemned the proposals. So did the All-Africa Convention at Bloemfontein under the chairmanship of D.D.T. Jabavu, supported by Pixley Seme for the A.N.C., and including such men as Msimang, Z.K. Mathews, Xuma, Moroka, and Mofutsanyana \*3. Jabavu led a deputation to Hertzog and they urged rather a return to the proposals of 1929. They asked to be heard at the bar of the House; Hertzog spoke on this matter in Parliament. He said:

I then said to them, my friends, I am sorry. I would like very much to do it, and I will do my best to meet the Natives, but it would be very unreasonable to ask the joint session to do such a thing.

So the unreasonable request was turned down, and the reasonable demands of the joint session to be left undisturbed by alien voices were acceded to. And that in fact is the history of Parliament in South Africa, an all-white body that rules unchecked over that great majority that cannot even plead at the bar of the House.

White opposition was also strong, from Church leaders, the Institute of Race Relations, Hoernlé, Sir James Rose-Innes, F.S. Malan and others. It was so strong that Hertzog feared he might not get the two thirds majority, and he therefore finally agreed to let the African voters remain, provided that they were removed to a separate roll.

Hertzog carried his Bill by the enormous majority of 169 to 11, one of the eleven being J. H. Hofmeyr. Hofmeyr prophesied that this was the beginning of a process the end of which could not be seen. He was right indeed. In 1956 Coloured voters were removed to a separate roll. In 1961 the African vote was abolished. In 1963 the Coloured vote was abolished. So finally the Transvaal principle of "No equality in Church or State" triumphed over all. 1935 witnessed the third great act of betrayal, and set white South Africa on a road that can lead only to its destruction.

From 1936 to 1948 Black opposition had a troubled career. Seme, President General of the A.N.C., was ousted in 1937 by Z.R. Mahabane, and Mahabane in his turn was ousted by Xuma, both Seme and Mahabane being regarded as too moderate. In 1949 Xuma was ousted by Moroka, and in 1952 Moroka was ousted by Lutuli. That was the beginning of the more militant struggle of the A.N.C. against the rule of Afrikaner Nationalism, and this brings us to the point at which we started.

One important series of historical events remains to be related. The Natives Representative Council (N.R.C.) was a futility; it probably had more brains in it than any other representative body in the history of South Africa but it was powerless. Councillor Paul Mosaka called it "the toy telephone"; you talked into it but no one ever listened. It was no joke for a white politician to face the Natives Representative Council. The brains and the tongues were too sharp. Hofmeyr, as acting Prime Minister, opened the Council session on 20 November 1946, and put up a defence of the Government's racial policies. He considered that Councillors had made "violent and exaggerated statements". Edgar Brookes, who had been instrumental in getting Hofmeyr to open the session, was disappointed and humiliated. Hofmeyr was given a unanimous vote of thanks, and left the Council to consider his address.

When the Council met again on 25 November, Z.K. Matthews moved the suppression of the proceedings until some more reassuring statement was received. He was seconded by Champion. But Hofmeyr's new statement was not reassuring. On 26 November a fateful day in our history, Matthews moved the adjournment. Selope Theme seconded and spoke to white South Africa.

Do you want us to join those forces that are outside, those forces which are out to destroy? If you drive us to that we shall know what to do; but we don't want to do that. That is my answer. I second the motion.

The Council did not meet again until January 1949 when the white chairman announced that Dr. Malan's Government had decided to abolish the Council. It had turned its mind to politics, especially the politics of equality. In 1951 it was abolished. Hertzog's famous Bill of 1936, greeted by an unprecedented storm of cheering in the House, had fallen to pieces.

What are one's reflections on reading this tragic account of the history of the first half of this century. The 30 years of Nationalist rule are seen as an extension and intensification of the policies that preceded it.

One reflects almost with grief on the waste of great gifts, that had to be devoted to resistance and opposition because they could not be used in the arts of government and administration, nor in the arts of architecture, engineering, pure science, technology. The great figures cross the stage, Rubusana, Jabavu, Charlottle Maxeke, Dube, Plaatje, Seme, Z.R. Mahabane, Msimang, Moroka, Champion,

Xuma, Matthews and finally Lutuli, who became the national president of the A.N.C. in 1952. They all had to pay for that historical withdrawal of the Voortrekkers "to preserve our doctrines in purity".

I doubt whether one of these actors felt that life had been wasted. That was the way life had to be lived, in the times and circumstances in which they had to live. Not one of them was given to self-pity. I myself like to reflect that two of them received some external reward for their brave and noble lives. One was Z.K. Matthews, whom Seretse Khama appointed Botswana's ambassador to Washington, some recompense for that great man who resigned from Fort

Hare when he would shortly have received a considerable pension. Others who resigned with him were Selby Ngcobo, and Cyril Nymbezi. I like to remember that Ngcobo went bare-footed to Adams College, that Nyembezi had to matriculate after he left school, and that Z.K.'s father was a mine-worker. The other who received external reward was Albert Lutuli who in 1961 was awarded the Nobel Peace Prize, he who had knocked patiently for thirty years at a door that would not open. Neither of these two great men received any reward from their own country except to be tried for treason.

It is a melancholy tale, but a tale of heroes. □

#### Footnotes:

I have referred to Anna Steenkamp as an Afrikaner Nationalist. That she undoubtedly was, though the appellation did not then exist. I do this for a further reason, namely that it is wounding to some Afrikaners if one were to call it "Afrikaner psychology".

There were only 11,00 black voters on the common roll.

Lutuli, though 38 years old, had not yet been drawn into politics.

#### Final Note:

In this essay I should have mentioned Smut's Asiatic Land Tenure Act of 1946, which was the forerunner of the Group Areas Act of 1950.

# PAYMENT ON ACCOUNT

by Edgar Brookes

Many of the readers of "Reality" (myself included) stand by the policy of the old Liberal Party which, it will be remembered, was universal suffrage and majority rule.

This is a highly unpopular policy with our rulers and with white South Africans generally, and one might be tempted to keep it in the background and to press for urgently needed reforms within the present system.

Apart from the fact that it is morally dishonest to be silent about our ultimate aims, there are strong arguments for declaring them — first, that black leadership may know that there is a real and vigorous element of white opinion which shares their hopes and ideals; — second, that the white electorate may become more and more aware of the fact that universal suffrage is a practical policy, brought forward by some who are prepared to work under it.

Overnight it became practical politics in Rhodesia, and that very fact brings it nearer to our own borders.

But at the same time it is true that the revolutionary policy of "All or nothing" should *not* be ours. There is a strong tendency to decry real and urgent reforms because they may blunt the spearhead of our main attack.

Let us give a few examples.

Take the question of influx control. It has been made harder and harder for a young man to obtain work in an urban area. This part of the African's life is under complete bureau-

cratic control, with the natural results of being sent from pillar to post, and multiplying opportunities for bribery (*and bribery does take place*). When the work-seeker is given permission to work in an urban area he is directed to work in a certain category of jobs. The young man may long to work in a factory: he will find himself directed into domestic service.

Another point is the treatment of Africans by subordinate officials. A magistrate is rarely discourteous to an African; a junior clerk rarely courteous. As most matters affecting Africans have now been made administrative, reform in this field is urgent.

Should we not, however strong our belief in ultimate complete liberty and equality, actively support reform in these and many other similar fields? To pour cold water on the efforts of those who seek to attain them, or even just to be quiet, is to betray our cause — unless, indeed, we take the Communist view that all real reforms are anti-revolutionary. In this view people would only fight for their rights when life becomes quite intolerable. We want the people to get what can be got to make life richer, fuller and happier.

I will go further. Besides our ultimate aim we ourselves should also have a programme of immediate reforms, for which we are prepared to work. Anything which makes life easier and securer for the people we love should have our active support, not a silent and somewhat scornful acquiescence. □