

THE ADJOURNMENT OF THE NATIVES REPRESENTATIVE COUNCIL 1946-1948

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Die verdaging van die Naturelle Verteenwoordigende Raad 1946-1948

Die doel van die artikel is om die aandag te vestig op die gebeure wat gelei het tot die verdaging van die Naturelle Verteenwoordigende Raad in 1946. Die belangrikheid hiervan lê in die feit dat dit die gevolg was van doelbewuste optrede deur daardie swartes waaruit die Raad bestaan het, eerder as die gevolg van toeval of 'n skielike besluit vanweë verbygaande gebeure. Die verdaging van die Naturelle Verteenwoordigende Raad is nog altyd toegeskryf aan gebeure daarbuite. Dit is dus as 'n ad hoc-besluit gesien en die aandag het gevolglik gefokus op die gebeure wat die Raadslede aangespoor het om sodanig op te tree, eerder as op die implikasies van die verdaging. Hierdie artikel is geskryf om hierdie opvatting te hersien en die optrede van die Raadslede te ondersoek, en sodoende die belangrikheid van hul besluit teen sy historiese agtergrond te plaas. Dit was nie 'n daad wat geïnspireer is deur die onmiddellike dramas van 1946 nie, maar eerder 'n weldeurdragte strategie wat in eie reg staan as 'n gebeurtenis van betekenis in die stryd om gelykheid en demokrasie in Suid-Afrika.

The purpose of this article is to focus attention on the events that led to the adjournment of the Native Representative Council in 1946. The importance of these events lies in the fact that they were the result of purposeful action on the part of those Africans who made up the Council, rather than the effect of chance or a sudden decision occasioned by the transitory events of the time. The adjournment of the Natives Representative Council has always been viewed in the light that the impinging of outside events led the councillors to adjourn the NRC. This decision has thus been seen as ad hoc and attention has consequently focused on the events that caused them to act in this way, rather than on the implications of the adjournment itself. This article has been written to redress this view and return to the action of the councillors, placing the importance of their decision in its historical setting. It was an act not inspired by the immediate dramas of 1946 but rather a well thought out strategy which stands on its own as an event of some importance in the fight for equality and democracy in South Africa.

The start of events can be traced to the mass raids which were conducted under the pass laws in the last years of the Second World War. This led to an increasing emphasis being placed on the pass system in the proceedings of the Natives Representative Council (NRC) and the councillors taking an interest and becoming involved, in the Anti-Pass Campaign.¹ R.V. Selope Thema was the most active of them, addressing meetings as far afield as Bloemfontein. In July 1946 he was elected to the second Anti-Pass committee.

In spite of efforts by various African leaders and ANC support, the Anti-Pass Campaign had thus far been singularly unsuccessful. The authorities had shown minimal interest in its activities and in 1945 its leaders had not been permitted to present their petition to the Acting Prime Minister, Jan Hofmeyr.² A.B. Xuma the ANC president-general, was presiding at an Anti-Pass meeting on 4 August 1946 when he urged the Natives Representative Council to adjourn until such time as the government acted upon the Council's numerous resolutions to repeal the pass laws. The NRC, he maintained, merely gave Smuts the opportunity to pretend to the world that South Africa gave the blacks some representation.³ Between June and August 1946 a meeting of the National Executive of Congress was held in Bloemfontein. It is not known what was discussed at this meeting but the general opinion seems to have been that Thema was eager to take the matter of passes further by somehow involving the NRC. Thema was one of the leaders of the Anti-Pass Campaign in Cape Town in 1945. He had not only been humiliated when Hofmeyr had refused to see him but, to add insult to injury, had then been jailed for leading an unlawful procession. It was probably at this meeting that it was decided to stage a formal protest at the next NRC session.⁴

In view of the large proportion of councillors who were both members of the NRC and of the ANC (ten out of the sixteen), the decision of the ANC to adjourn the Council can be regarded as one taken jointly by the Council leaders and the ANC. Cyclostyled letters were then sent informing the remainder of the Council of the decision to adjourn the next session of the NRC as a form of protest against what was perceived to be the increasingly discriminatory stance of the government.⁵

According to Dr. Bokwe, it took a great deal of persuasion before unanimity on this decision was reached. A significant aspect of the decision was that this was the first time that prominent chiefs representing the largest black national communities in South Africa had united to identify themselves with a motion of this kind, namely an outright condemnation of government policy. Secrecy concerning this decision, was of course, essential but there were certain indications that something unusual was afoot. *Umteteli Wa Bantu*, for example, predicted that the next meeting of the Council would be of great significance and that blacks should give it their particular attention.⁶ The motions tabled for forthcoming Council

NRC Debates, 15 August 1945, P. Mosaka, p. 48; Champion Papers, Correspondence, D.W. Bopape - A.W.G. Champion, 12 June 1946.

2. *Umteteli Wa Bantu*, 22 June 1946; *Inkundla Ya Bantu*, Second Fortnight, July 1946.

3. *Inkululeko*, October 1946; B. Bunting, *Moses Kotane: South African Revolutionary* (Johannesburg, 1975), p. 132.

4. *Guardian*, 15 August 1946; J. Moroka interviewed by M. Roth, 1981.

5. Xuma Papers, ABX 460726, Cyclostyled letters sent to members of the NRC, 26 July 1946; Karis and Carter Microfilm, 2:AK 5/4:41/13, A.B. Xuma to V. Poto, 26 June 1946; Ballinger Papers, A.B. Xuma to M. Ballinger, 25 March 1946. By March 1945 nine out of twenty ANC leaders were, had been or would be members of the NRC.

Guardian, 25 December 1947; *Umteteli Wa Bantu*, 3 August 1946.

sessions usually numbered well over one hundred, yet for the meeting scheduled for 14 August, only twenty-two had been sent in by councillors.⁷ This state of affairs, however, apparently went unnoticed in the Native Affairs Department to which the motions were sent.

The meeting held on 4 August 1946 by the Anti-Pass Committee in Johannesburg at which Xuma announced that the NRC would adjourn at its next meeting, had followed a meeting of the African Mine Workers Union where the decision was taken to strike if the Union's wage demands were not met. The strike was a complete failure with 1 000 miners injured and twelve killed. A general strike was called for 15 August but this failed as well. An attempt by the Communist Party to rally the black miners on 17 August was also a dismal failure.⁸

The failure of the black mine-workers strike has not been disputed. Nevertheless, the view has been held that certain significant events followed as a result of it. These arose from the adjournment of the NRC which certain researchers have erroneously claimed was the result of a sudden decision brought about by the strike of the black miners on the Rand. There is a strong temptation amongst historians, to attribute the undoubted and significant change in black politics after August 1946 to the effects of the strike by the miners rather than to the actions of the NRC. Margaret Ballinger's comment that "without previous intention, and unorganised the Council had come to a deadlock" is typical of the view held on the adjournment by historians. Only Banuch Hirson in his 1990 publication, *Yours for the Union*, gives a correct rendering of the events of 1946. However, his focus is on trade union organisations and he attaches little importance to the actions to the NRC.⁹

The significant protest of 1946 was initiated not by trade union action but by the NRC. Both Smuts' handling of the Council between 1946 and 1948 and Malan's attitude after 1948 reflect this fact.¹⁰ It was emphasised by Z.K. Matthews on a number of occasions that the strike had nothing to do with the Council adjournment. He regarded the Lovedale Secondary riots as of equal importance to the strike. The riot and the strike were both merely cited as additional evidence at the August meeting of the NRC, if such was needed, that the protest of the Council was well justified.¹¹

All that was necessary before the actual start of the session in August, was to decide who would present the adjournment motion. There was a real fear amongst the councillors at the caucus meeting which preceded this session, that the councillor who presented the motion would be arrested. The arrests of Thema and Paul Mosaka previously had shown that

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7. TBP NTS 1791 89/276 (2), Agenda for August meeting of NRC.
 8. D. O'Meara, "The African Mine-Workers' Strike and the political economy of South Africa", *Journal of Commonwealth and Comparative Politics*, 1975, 113, no. 2, pp. 179, 206, 209; *Rand Daily Mail*, 16 & 17 August 1946; SAIRR, B15.3.4, Strike Bulletins.
 9. D. O'Meara, pp. 219, 223; H.J. Simons & R.E. Simons, *Class and colour in South Africa 1850-1950* (Hammondsworth, 1969), p. 578; D. O'Meara, *Volkskapitalisme: class capital and ideology in the development of Afrikaner nationalism, 1934-1948* (Johannesburg, 1983), p. 229; A. Paton, *Hofmeyr* (London, 1964), pp. 433ff; W.K. Hancock, *Smuts v.2, The fields of force 1919-1950* (Cambridge, 1968), p. 484; M. Ballinger, *From Union to apartheid* (Cape Town, 1969), p. 193; B. Hirson, *Yours for the Union* (Johannesburg, 1990), pp. 187-188.
 10. See M. Roth, "The Natives Representative Council 1937-1951" (Ph.D, Wits, 1984), chapters 15 & 16.
 11. Karis and Carter Microfilm, 2:XM66/96/11, Z.K. Matthews interviewed by J.H., 1963; *Ibid.*, 2:XM66/84/1. Z.K. Matthews, *Reasons why the Native (Sic) Representative Council in the Union of South Africa adjourned*. The events cited in Z.K. Matthews, pp. 144-147, do not reflect the true course of events.

councillors enjoyed no special privileges such as freedom from arrest, from the police.¹² James Moroka said that he arrived at the caucus meeting and the motion was thrust on him without any prior consultation on whether or not he wanted to present it, although he had made it known to the NRC caucus that he was not afraid to do so.¹³

The session opened on 14 August, after the commencement of the miners' strike. Before presenting the adjournment motion, the Council asked the chairman about the strike situation. W.J.G. Mears, the Secretary to Native Affairs, was absent, and the Council was under the chairmanship of Fred Rodseth, the Undersecretary of the Department. The first part of the session was dominated by Thema's motion on the strike and Mosaka's on the Lovedale riots. Moroka then put his motion:

The Council having, since its inception, brought to the notice of the Government the reactionary character of Union Native Policy of segregation in all its ramifications, deprecates the Government's post-war continuation of a policy of Fascism, which is the antithesis and negation of the letter and spirit of the Atlantic Charter and the United Nations Charter. The Council therefore in protest against this breach of faith towards the African people in particular, and the cause of world freedom in general, resolves to adjourn this Session and calls upon the Government forthwith to abolish all discriminatory legislation affecting non-Europeans in this country.¹⁴

It should be noted that there is no mention in the adjournment motion of any of the more immediate events of that time. The emphasis is on freedom and on the abolition of racial discrimination.

The Council made it clear that it was not prepared to carry on unless the government made a satisfactory reply to this motion.¹⁵ On the second day Thema seemed to have second thought on the advisability of Moroka's motion and proposed an amendment which laid stress on the status of the Council and would have made it relatively easy for the government to remedy the situation. But this does not seem to have been the real reason for the amendment. Both he and A.W.G. Champion (who seconded the amendment) hoped that the general strike called for the 15 August would succeed and they hinted in the council that these events were the beginning of some kind of national uprising.¹⁶ If this had indeed occurred, then a functioning Council would have proved useful as a negotiating instrument and it is understandable that Thema and Champion felt it unwise to adjourn at what they thought was a significant turning point in black affairs. However, the call for a national strike failed, Thema's amendment was not supported and Moroka's resolution was passed unanimously.¹⁷

Telegrams of support were received on the passing of the "Freedom Resolution", which showed Matthews that the NRC had accurately gauged the people's feelings in the matter. The United Nations Secretary-General was informed of the adjournment and the NRC felt that it "had struck a blow for the freedom of the African people."¹⁸

12. See Roth, "The Natives...", chapter 8.

13. J. Moroka interviewed by M. Roth, 1981.

14. *NRC debates*, 15 August 1946, p. 74.

15. *Ibid.*, p. 73.

16. *Ibid.*, pp. 48-49.

17. *Ibid.*, pp. 72-73.

18. Karis and Carter Microfilm, 2:XM 66:96/11. Z.K. Matthews interviewed by J.H., 1963; *Bantu World*, 21 September 1946.

The adjournment caught white opinion by surprise. Councillors had not informed the Native Representatives in either the Senate or the House of Assembly of their decision prior to the session. Thema and Xuma had been angered by the lack of action on the part of the Native Representatives when the Anti-Pass deputation had unsuccessfully sought assistance from them to interview the Prime Minister.¹⁹ The adjournment was regarded by both liberals and the National Party as a crisis which challenged the fundamentals of South Africa's segregation policy.²⁰ This view contrasts with the unimportance with which these events were regarded by historians in later years. The contention is made that a more accurate assessment would be to take due note of such contemporaneous views.

Jan Hofmeyr, who was Acting Prime Minister in Smuts's absence, wrote to Smuts pointing out that if the NRC could not be made to function far-reaching questions would be asked. Hofmeyr felt that it would be difficult to suggest any course of action which would satisfy the NRC and at the same time not be in the nature of a surrender and thus subjected to severe criticism in white quarters.²¹

By 16 September, Hofmeyr had realised that the debate and resolution were not spur-of-the-moment decisions in reaction to the mine-workers' strike but had been prepared beforehand, which made the situation far more serious. Smuts regarded the NRC speeches as "outrageous and insulting". He was against any suggestions by Hofmeyr to grant concessions. The Native Affairs Department wanted to include some kind of concession, such as an acceptance of trade union recognition, in any statement made to the Council by the government, but Smuts would not, initially, even agree to that.²²

Matthews came to see Hofmeyr in October 1946. He was at great pains to emphasise that the councillors did not want the NRC abolished and hoped that the government would be conciliatory. Hofmeyr toeing the line dictated by Smuts, swallowed his liberal principles and pointed out that given the nature of the Council's speeches, the government could not do anything that could be interpreted as a surrender.²³

In that same month, Xuma, as head of the ANC, called a conference in Bloemfontein. A large number of delegates of all political persuasions, some 510, attended the meeting, attesting to the importance attached by Africans to the Council adjournment. The only dissenting voice was that of J.B. Marks, who had headed the mine-workers' strike and was clearly put out by the importance attached to the affairs of the NRC. The strike was not mentioned at all at this conference, except in a motion of sympathy to the relatives of those killed or wounded. The proceedings were dominated by the CYL and members of the Communist Party.

The CYL was in favour of a total boycott of the NRC, Anton Lembede, CYL president, commenting that the time had come to "bury the NRC". The communists were

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19. Ibid., 14 June 1947 - Xuma had unrealistic expectations of Margaret Ballinger's influence in government circles.
 20. Smit Papers, 31/36, "Notices of discussion by the Native Affairs Commission at its meeting on 27 September 1946 ... in regard to the Natives Representative Council". *Die Burger*, 26 November 1946; Karis and Carter Microfilm, 2:AK5/4:41/16, 22 August 1946, "Memorandum on the adjournment of the Natives Representative Council"; *Umeteli Wa Bantu*, 3 August 1946; Ibid., 24 August 1948.
 21. Smuts Papers, 234(30), J.H. Hofmeyr - J.C. Smuts, 8 September 1946; Hofmeyr Papers, A1 Db, J.H. Hofmeyr - W.J.G. Mears, 3 September 1946.
 22. Hofmeyr Papers, A1 Ca, J.C. Smuts to J.H. Hofmeyr, 23 September 1946; Ibid., 17 October 1946; Ibid., A1 Db, J.H. Hofmeyr to J.C. Smuts, 10 October 1946; Ibid., 22 October 1946.
 23. F. Rodseth interviewed by M. Roth, 1978.

divided between those like

J.B. Marks and Edwin Mofutsanyana who wanted to boycott it completely, and Moses Kotane, General Secretary of the Communist Party, who was against a boycott.²⁴ The councillors were still hopeful of getting the cooperation of the government and were thus not in favour of a boycott.²⁵

What did the Africans hope to achieve by boycotting the NRC and why was this method used at this particular time? Initially it was believed that by boycotting the NRC, which was regarded as part of the legislative process of Parliament, Africans would make it impossible for the government to rule the country.²⁶ This was a method used in India in 1946 when the Muslims boycotted the Indian Constituent Assembly.²⁷ In South Africa such a boycott could only have succeeded if the Bills which were given to the NRC could not legally be proceeded with until the NRC had seen them. A great deal of legislation, mainly in the form of amendments to existing Acts was, however, already by-passing the Council and although there is some evidence that certain Bills initially were held back due to the continued adjournments of the NRC, a legal loophole was found and the problem thus eliminated. By July 1947 it was apparent that the NRC could be by-passed.²⁸

The disillusionment of the Council had been apparent since 1942 and their attitude in 1946 is understandable.²⁹ Even members of the Congress Youth League like Lembede, who wanted the Council boycotted, realised that the members of the NRC were sincere in their belief that the Council was a means to use government structures to achieve freedom.³⁰ Direct representation was as much the aim of the NRC and other black leaders as of the pro-boycott faction. Only their methods to achieve this were different. The humiliation suffered by the leaders of the failed black organisations in 1946 was an important factor in the situation. The lack of esteem accorded to the ANC, the failure of the black trade union movement to rally the workers in 1946, the failure of the AAC to even have a say in the Council by getting its candidates elected, all played a part in the attitude of black leaders in advocating a boycott in 1946. The government had chosen to ignore all these organisations. The only leaders of the people accepted as such were the members of the Representative Council. Members of the Council had always received better recognition than, for example Xuma, who was the head of the ANC. I.B. Tabata believed that fear of the loss of this prestige was what kept the councillors from supporting the boycott. Councillors maintained that if they resigned their electors would have accused them of running away from what was, at the time, a dangerous situation and lost all confidence in them.³¹ Mosaka saw the boycott movement as a transference of the anger felt by the black organisations to the NRC.³²

24. *Bantu World*, 26 October 1946; SAIRR, AD 1189, ANC Notebook i, Bloemfontein Emergency Conference, 6 October 1946, *Ibid.*, ANC Notebook vi, October Conference of 1946; *Ilanga Lase Natal*, 19 October 1946.

25. Hofmeyr Papers, A1 DB, Z.K. Matthews - J.D. Rheinallt Jones, 21 October 1946.

26. Hofmeyr Papers, A1 DB, "Native Representative Council, note of an interview with Professor Matthews, 22 October 1946".

27. *The Star*, 23 November 1946.

28. TBP NTS 1790, 89/276/(3) Secretary of Labour - Secretary of Native Affairs, 2 July 1947.

29. *Bantu World*, 29 January 1949.

30. A.P. Mda interviewed by S. Buthelezi, 1982; *Inkandla Ya Bantu*, 17 July 1947.

31. I.B. Tabata, *The All African Convention: the awakening of a people* (Johannesburg, 1950), p. 109; J. Moroka interviewed by M. Roth, 1981; H.J. Simons & R.E. Simons, p. 580. They accused the NRC of not wanting to surrender the prospect of office and a political platform.

32. *Bantu World*, 29 January 1949.

Before the November session of the Council the government compiled an outline of what they considered to be the causes of the adjournment. These were lack of respect for the Council, failure to consult the Council, lack of action on Council recommendations and continued repressive legislation. But the point at issue was the abolition of all discriminatory legislation, an aspect not even included in the above list.³³

In November the councillors gathered in Pretoria to hear the government's reply. Hofmeyr's speech was a tabulation of what the African people "received" from the government, and can thus not be regarded as a reply to the adjournment resolution which had demanded the abolition of segregation. Matthews said that the NRC knew that the speech emanated from the Native Affairs Department and did not really reflect Hofmeyr's view. The absence of Smuts overseas led councillors and the ANC to believe erroneously that Smuts had nothing to do with Hofmeyr's speech.³⁴ In fact the reply to the Council had been thoroughly discussed by Smuts with Hofmeyr. Smuts amended the draft of Hofmeyr's reply to the NRC by making the answer "somewhat less apologetic in tone and somewhat stiffer, as it should be".³⁵

During the course of the session, councillors made it clear to the government that the intervening months had not modified their attitude in any way.³⁶ They emphasised that as the only legitimate representatives of the Africans, freely elected by them, they had no intention of resigning but would wait for the government to give a satisfactory reply to their demands. The Council then adjourned this meeting as well and a second adjournment resolution was passed.³⁷

The second adjournment of the council caused an even greater sensation than the first, as it was clearly no sudden decision. The NRC were supported in their decision to adjourn for the second time not only by black organisations like the ANC but also by the Non-European Unity Movement and the Indian Congresses of Natal and the Transvaal.³⁸

One of the most significant results arising out of the second adjournment of the Council in November 1946 was the use made of the NRC by the councillors, as a means to inform the outside world of their views and grievances. Awkward questions had been asked at the UN after the first adjournment.³⁹ During the November session, the NRC wrote to the UN congratulating them on their work in connection with the dispute between South Africa and India and on their decision not to allow the incorporation of South West Africa

Hofmeyr Papers, A1 DB, "The Protest of the Natives Representative Council, outline of the causes ...".

34. F. Rodseth interviewed by M. Roth, 1978; *Inkundla Ya Bantu*, November Second Fortnight, 1946.
35. Hofmeyr Papers, DB A1, Telegram, J.C. Smuts - J.H. Hofmeyr, 29 September 1946; *Ibid.*, A1 Ca, J.C. Smuts - J.H. Hofmeyr, 17 October 1946. NRC debates, 20 November 1946, p. 5; *Ibid.*, 25 November 1946, p. 39; *Ibid.*, 26 November 1946, p. 70.
37. *Ibid.*, pp. 72ff.
38. Karis and Carter Microfilm, 2:AK 5/4:41/18, J.N. Singh and N.D. Naidoo - Z.K. Matthews, 26 November 1946; *Ibid.*, 2:AK 5/4:41/21, African National Congress - Members of the Natives Representative Council from the Secretary Bookkeeper; *Ilanga Lase Natal*, 30 November 1946; *Inkundla Ya Bantu*, Second Fortnight, November 1946; Z.K. Mahabane, *The good fight: selected speeches of Z.R. Mahabane* (Illinois, 1965), p. 62.
39. A.J. Lutuli, Papers (Microfilm) p. 103; *Forum*, 30 November 1946; *Inkundla Ya Bantu*, Second Fortnight, November 1946.

into South Africa, as the Council opposed incorporation.⁴⁰ In addition a letter was sent by the NRC to the UN explaining the adjournment of 1946, which proved to be an embarrassment to the government. Cabinet Minister Harry Lawrence, presumably in an attempt at explanation, presented a paper to the UN entitled: "Request of the Natives Representative Council for annulment of discriminatory legislation". In addition Smuts, probably also in an effort to offset the bad impression created by the Council's letter to the Secretary-General, spoke at the UN exaggerating the powers of the Bunga, one of the electoral units of the NRC. No effort at all was made to deal with the real issue under dispute, namely the abolition of discrimination.⁴¹

In spite of the opposition of Xuma and Champion (who presided at the December 1946 ANC conference while Xuma was at the UN) a boycott resolution was passed at this conference in December 1946.⁴² Both Xuma and Champion considered the NRC to be a weapon in the struggle for freedom and therefore it would be senseless to abandon it.⁴³

Until his death in August 1947, the leading advocate of the NRC boycott was Anton Lembede, a member of the ANC national executive and CYL president. What the councillors wanted was to use the adjournment as a tactic to make the Council unworkable. As has been pointed out, it was thought that bills could not be put before Parliament unless previously examined by the NRC. Consequently Parliament would be prevented from passing discriminatory racial legislation. Lembede regarded this policy as escapist. He believed that unless the elections were boycotted this could be interpreted as indicative of black collaboration in their own repression.⁴⁴

There were allegations that the boycott was communist inspired and controlled. However, the important advocates of the boycott were not members of the Communist Party but Youth Leaguers like Anton Lembede and the head of the Transvaal ANC, C.S. Ramohanoë. Ramohanoë was so eager for the boycott resolution to be endorsed by the Transvaal ANC that he pushed it through at a meeting attended by only twenty-seven people.⁴⁵ Ramohanoë and certain members of the Cape ANC went to various townships to persuade the inhabitants not to vote for the NRC at the next election, which was to be held in 1948.⁴⁶ No other active propaganda was made on the issue and neither chiefs nor any other voting units were contacted by the pro-boycott faction. No members of the Council made any attempt to implement the boycott resolution. When Champion and Albert Lutuli, both elected to the NRC for Natal, toured that province in 1947, for example, their purpose was to inform the people on the NRC adjournment and to persuade them to join the ANC.

40. NRC debates, 22 November 1946, J. Moroka, p. 33; M. Benson, *The African patriots* (London, 1963), p. 139.

41. *Inkundla Ya Bantu*, First Fortnight, January 1947.

42. *Ibid.*, 5 July 1947; Champion Papers, Correspondence 1957, A.W.G. Champion - L.P. Msomi, 24 February 1947; *Ibid.*, H. Selby Msimang - L.P. Msomi, 25 February 1947.

43. *Bantu World*, 18 October 1947; *Ibid.*, 22 November 1947; Champion Papers, Correspondence 1947, A.W.G. Champion - C.S. Ramohanoë, 16 May 1947.

44. Karis and Carter v.4, p. 56; *Bantu World*, 9 August 1947; *Ibid.*, 28 July 1947, *Inkundla Ya Bantu*, 10 July 1947; *Ilanqa Lase Natal*, 18 October 1947; Champion Papers, Correspondence 1947, Minutes of the meeting of the National Executive, 1-2 February 1947.

45. *Bantu World*, 19 July 1947; *Ibid.*, 5 July 1947; *Ibid.*, 22 November 1947.

46. *Inkundla Ya Bantu*, Second Fortnight, July 1947.

The boycott was not mentioned.⁴⁷

By the latter part of 1947 it was becoming evident that the boycott was failing. Electoral committees were being formed in relatively politically aware areas like Boksburg on the Witwatersrand. In the northern Cape and Orange Free State chiefs had informed Xuma that they were not prepared to boycott the forthcoming NRC elections.⁴⁸ The Transvaal ANC had virtually admitted defeat as early as June 1947 when, in a circular letter, they blamed the NRC for the failure of the boycott because the latter had failed to instruct their constituents on the matter.⁴⁹

The boycott dispute had thoroughly confused the ANC supporters who were not at all sure what they were supposed to do at the forthcoming 1948 NRC elections.⁵⁰ This confusion was increased by Xuma's insistence that the ANC had not abandoned a boycott but was only "regrouping for a final blow".⁵¹ By February 1947 Smuts had decided to meet at least some of the councillors and the Native Affairs Department was busy drafting a set of proposals for him to put to them.⁵² Smuts realised that Africans wanted rights rather than improvements on the present policy, but wrote that their aim of equality would be politically impossible to implement.⁵³

What Smuts was prepared to give blacks was not an end to discrimination but merely a greater share in administering their own oppression. His basic suggestion was self-government in black areas under a reconstituted NRC.⁵⁴ Smuts was obviously making some attempt at reconciliation after his initial reaction of outrage at the actions of the councillors.

The government had apparently discussed the option of abolishing the Council altogether but judged it unwise to do so at this, the first sign of conflict. On the other hand, the attitude of the Opposition in Parliament and the imminence of the next general election made the government tread warily. For example, Hofmeyr's reply to the Council in November 1946, in which he had enumerated the benefits conferred on the Africans by the government, had not been included in the proceedings of the NRC placed before Parliament in 1947, probably in anticipation of the political capital that would be made of this by the Opposition.⁵⁵ The actions of the NRC had succeeded in making the government admit that a new "native policy" was necessary. This, in itself, was a significant admission.⁵⁶

When Smuts, in May 1947, sent for Matthews and five other members of the Council

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47. Champion Papers, Correspondence 1947, A.W.G Champion - A.B. Xuma, 31 August 1947; Champion Papers, Correspondence 1947, H. Selby Msimang - A.W.G Champion, 28 April 1947; *Ibid.*, C.S. Ramohano - A.W.G Champion, 14 May 1947; *Ibid.*, A.W.G Champion - C.S. Ramohano, 16 May 1947.
 48. *Bantu World*, 5 November 1947.
 49. Champion Papers, Correspondence 1947, Circular from the Transvaal ANC to chiefs, headmen, and members of advisory boards, June 1947.
 50. See, for example, Karis and Carter Microfilm, 2:XC9:41/160, A.R. Hynswa - A.W.G Champion, 6 December 1947.
 51. *Ilanga Lase Natal*, 27 December 1947.
 52. Smuts Papers, 237(196), J.C. Smuts - M.C. Gillett, 6 February 1947; *Ibid.*, 167(54), W.J.G Mears - J.C. Smuts, 15 February 1947.
 53. *Ibid.*, J.C. Smuts - M.C. Gillett, 6 February 1947.
 54. *Ibid.*, 168(19), W.J.G. Mears - J.C. Smuts' secretary, 28 March 1947; Hancock, p. 489.
 55. *Ibid.*, W.J.G Mears - J.C. Smuts, 25 April 1947, "Recognition of Native trade unions"; Senate debates, 16 April 1947, P. van der Byl, cols. 1063, 1090, 1095.
 56. Karis and Carter Microfilm, 2:AK5/12:896, "The Smuts' proposals, 1947. Statement by Professor Z.K. Matthews".

to discuss the adjournment, Matthews believed that Smuts needed the cooperation of the NRC and hoped for an end to the adjournment before the next UN session, where it was certain that there would be renewed onslaughts on South Africa's segregationist policies. In all likelihood the publication of the Smuts' proposals for the NRC in October 1947 was timed to coincide with the UN session.⁵⁷ In his opening speech to them, Smuts summarised the views of his government on "native affairs". He wanted to strengthen the NRC rather than abolish it because the Council represented black opinion, and he felt that it would be unwise to ignore it. The Council should be restructured in such a way that it would manage black affairs, a situation which would accord well with the policy of his government, which was to keep the two sections of South Africa separate in their own residential areas. He then went on to discuss a Bill which his government wanted passed on African trade unions. It was a Bill similar to the Industrial Conciliation Act except that these trade unions would be for Africans only, with the exclusion of miners. He also pointed out, no doubt as an incentive for the NRC to return to its duties, that this Bill could not be passed by Parliament until the NRC sat again and considered it.

Councillors made various speeches at this meeting but it was only Mosaka who seemed to grasp the immediate implications of Smuts' proposals when he said that the adjournment had been a matter of policy and to ask the councillors now to help in the administration of a policy which they did not support was to ask them to police their own people. As A.P. Mda commented, it was an attempt by the government to let blacks administer their own domination.⁵⁸

There seems to have been an attempt by the government to put the proposals as a means to a more grandiose end. The *Rand Daily Mail* interpreted them to mean that the Council would, to a limited extent, become a black parliament. This was a plan which, they added, could hardly fail to impress the UN.⁵⁹ It was the intention of Smuts to meet the Council at the end of 1947, when he was to amplify on the proposals he had in mind, at the time that the Fagan Report was expected to be finalised. The Fagan Report was, however, not ready by the end of the year, the general election was to be held in May 1948 and so Smuts thought it more prudent to defer meeting the Council. An added factor was that Council elections would also be held in 1948 and a new Council might be more amenable to these proposals than the old one seemed to be.⁶⁰ In any case Mears, the Secretary of Native Affairs, held that it would be useless to call the council in 1947 while it had this "obsession" with equality and the abolition of the colour bar.⁶¹

The proposals were unfavourably received by the official Opposition. Smuts was accused of wanting to form a black parliament which would consolidate the eight million Africans under anti-white leadership. The Opposition believed that if the Smuts proposals were implemented, the NRC would become the medium through which the fight for equality

57. M. Benson, pp. 107, 141 & 168.

58. Karis and Carter Microfilm, 2:AK5/12:31, "Notes of an interview between the Right Honorary Prime Minister and Members of the Representative Council on 8 May 1947"; *Bantu World*, 2 August 1947.

59. *Rand Daily Mail*, 10 May 1947. Similar views were expressed in the *South African Outlook*, 2 June 1947; Smuts Papers 169(81), D.L. Smit, chairman of the NAC to the Minister of Native Affairs, 30 August 1947.

60. Smuts Papers, 169(36), "Statement on the development of Native Councils"; TBP NTS 1790, 89/276(3), F. Rodseth - D. Buchanan, 13 September 1947; *The Cape Times*, 10 May 1947. *Inkundla Ya Bantu*, 8 October 1947.

would be carried out.⁶² In any case Xuma urged the enemies of repression to rally round the NRC and had called upon all segregatory bodies to support the councillors. He agreed to adopt a subsidiary role in the political leadership to Matthews, who was the NRC leader, because he felt that this would advance the people's cause. Xuma's attitude to the Smuts proposals was inherently the same as that of the councillors, namely to give Smuts a chance to develop the proposals and not to reject them out of hand.⁶³

However, matters were taken out of Xuma's hands when the Transvaal ANC working committee met immediately after the councillors meeting with Smuts. The Transvaal ANC was the most radical of the ANC branches at this time. It was largely composed of members of the CYL. The mood was understandably enough a militant one. Xuma commented, at this meeting, as had Paul Mosaka and A.P. Mda previously, that the Africans were not expected to carry out their own oppression. Lembede wanted the ANC to destroy the NRC and resume its legitimate role which he saw as having been assumed by the Council. To forestall an NRC statement on the Smuts proposals, which they obviously though might be too conciliatory, the Transvaal branch of the ANC then piloted through a resolution on the boycott of the forthcoming NRC elections. Xuma was totally opposed to this resolution. He was supported by the older members of the ANC and by the councillors. The latter stated that they refused to be dictated to by those who were not their electors. A circular was then sent by Xuma to all ANC branches repudiating this resolution of the Transvaal ANC.⁶⁴ As the NRC elections were not boycotted it can be assumed that this resolution had been ineffectual in comparison to the circular of the ANC president general.

In October, instead of calling a Council meeting, Smuts issued the proposals for official publication. Matthews then called a meeting of the NRC caucus to give an official reply to the Smuts proposals. In their reply the councillors stated that the proposals did not go to the root of the dispute between the Council and the government because they did not provide for a new policy towards Africans, a policy not based on racial discrimination.⁶⁵

It can only be speculated to what extent the proposals could have led to any significant change in African affairs if Smuts had not lost the election of 1948. As the proposals were incorporated as official United Party policy on "native affairs" it can be assumed that Smuts intended to carry them out.⁶⁶ The consensus of black opinion was that the Smuts proposals would have given white domination another lease of life rather than ushered in political change leading to equality.⁶⁷

The annual meetings of the African political organisations in December 1947 were dominated by the boycott issue, in spite of the evident lack of support from the two crucial components in the black elections, the members of the NRC and the electorate. The AAC when announcing its decision to boycott the 1948 black elections, stated that the NRC was

62. *Die Transvaler*, 6 January 1947 and 14 May 1947.

63. *Inkundla Ya Bantu*, 19 June 1947, 3 July 1947 and 15 May 1947; *Ilanqa Lase Natal*, 27 December 1947.

64. *Bantu World*, 18 January 1947; SAIRR, AD1189, ANC Notebook ii, Part 1, 11 May 1947, Emergency meeting of the Transvaal ANC Working Committee; Champion Papers, Correspondence 1947, H. Selby Msimang - A.W.G Champion, 21 July 1947; *Ibid.*, A.W.G. Champion - H. Selby Msimang, 22 July 1947.

65. *Ilanqa Lase Natal*, 22 November 1947; *Bantu World*, 8 November 1947.

66. The Native and Coloured peoples policy of the United Party, pamphlet published as a part of the 1948 election campaign.

67. *Inkundla Ya Bantu*, 12 November 1947.

keeping African attention from where it should be, namely from Parliament.⁶⁸

The ANC met in December 1947 with about eighty delegates attending the conference. The boycotters were led at this meeting by Ramohanoë, the majority of the black communists behind him, while Xuma led those against the boycott, which included the members of the Representative Council. The final decision of the conference was that the councillors were to be re-elected in 1948 on a "boycott ticket", that is, the same councillors would be elected on the understanding that they would continue to adjourn every meeting of the NRC until their demands had been met. Of the delegates present at the conference, 57 voted in favour of the re-election of the 1942 councillors, seven voted against the measure and seventeen effectively abstained by walking out, presumably in protest against the proceedings. The resolution was puzzling in that it advocated the re-election of the outgoing councillors while at the same time doing nothing to prevent anyone else standing for election. The authority of this resolution was thought to be so minimal and the eagerness for blacks to stand as councillors so strong that numerous people, even within the ANC itself, were expected to present themselves as candidates.⁶⁹

An added complication in the 1948 ANC elections was that the white voters were also involved in an election in that year. Opposition to the Smuts government had been evident not only from the Africans prior to the elections but also from coloureds and Indians and this resistance occurred at the same time that the government began to experience serious difficulties at the United Nations and elsewhere in the international arena.

A strong impression was created that the government could not control the situation and when the election results became known, on 26 May 1948, Malan's Nationalists had won the election by seventy seats to 65, with a majority of one seat in the Senate. They had launched their campaign with what purported to be a new doctrine towards blacks, that of apartheid.⁷⁰ They had a clearcut policy in comparison to the ad hoc adjustments of the United Party in racial matters.

To what extent can the NRC deadlock be said to have contributed to Smuts's defeat in 1948? It had been singled out by the Opposition press as early as 1946 as a portent of the storm to come.⁷¹ One of the main platforms from which the National Party criticised the United Party's "native policy" was its attitude towards the NRC. The National Party accused Smuts of encouraging the NRC not only to think of itself as a parliament but of taking active steps to ensure that its ambition would be realised. Africans were being given a parliament whose jurisdiction must inevitably include whites as well.⁷² To some extent these were opinions calculated to panic the whites into voting for the National Party, but in all fairness it must be added that Malan had always held this view. He had always maintained that the NRC would be a danger because it would unite blacks into one nation and that Smuts would foster its progress until it became an African parliament.⁷³ One of his election promises was to abolish the Council, so the issue must have been of some importance. *Inkundla Ya Bantu*,

68. Ibid., 31 December 1947.

69. Ibid., 21 August 1947 and 24 December 1947.

70. T.R.H. Davenport, *South Africa: A modern history* (Johannesburg, 1977), pp. 251-254; N. Stultz, *The Nationalists in opposition, 1934-1948* (Cape Town, 1974), pp. 155-156.

71. *Inkundla Ya Bantu*, 14 August 1948; T.R.H. Davenport, p. 253; *Die Transvaler*, 17 August 1946.

72. Ibid., 21 April 1948; *Bantu World*, 24 January 1948; Senate debates, 6 September 1948, col. 300, J.W. le Roux.

73. M. Roth, "The formation of the Natives Representative Council", (MA, Unisa, 1979), p. 60.

for example, regarded the NRC as one of the main reasons for Smuts' defeat.⁷⁴

The failure of the Anti-Pass Campaign, the mineworkers' strike and of African political organisations in general to persuade the government to initiate reforms had to some extent been redeemed by the NRC. The actions of the NRC led the Smuts government to admit that its policy towards Africans was outdated and to formulate certain alternatives. These alternatives concentrated on giving the NRC additional power and influence but did not even attempt to deal with the real question at issue namely, the abolition of racial discrimination. The two adjournments of the NRC in August and November 1946 had proved to be a significant impetus for political action among all sections of Africans. Although there was a diversity of opinion on the precise course of action which should now be followed by the NRC, this did not detract from the fact that all Africans were united in their support of the Council's demands, and seen to be so by the government.

Africans were in favour of the continued adjournment of the Council until such time as all discriminatory legislation had been removed. The significance of this demand was that it did not centre on the abolition of some aspects of discriminatory legislation but asked for the complete abolition of racial discrimination. It was a demand made by a statutory body, created by an Act of the South African Parliament, elected by the one and a half million votes of its African adult male population.⁷⁵ The results of the adjournment not only reverberated in South Africa but also - and for the first time - made known to the United Nations the dissatisfaction of the Africans in South Africa with their government. For these reasons it can be regarded as a historic and momentous occasion.

74. *Inkundla Ya Bantu*, 9 June 1948.

75. *Government Gazette*, 5 February 1937, pp. 242-255. According to these figures there were 1 408 362 African male votes.