

THE SMUTS GOVERNMENT AND THE AFRICANS, 1939-48

by

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The United Party rump which entered into power in September 1939 inherited a policy for race relations which derived directly from the Hertzog legislation of 1936-37, with no apparent intention of changing it. The Hertzog recipe was cooked in a three-legged pot: one leg was the communal representation of the African voters of the Cape on a separate roll; the second was the territorial segregation of Africans in their own Reserves; and the third was the segregation of urban Africans and the limitation of their numbers in accordance with the availability of work in any particular town (essentially the gospel of Colonel Stallard, which Hertzog seems to have taken over). Where the Cape Coloured people were concerned, Hertzog's policy was in the process of formation, and its lines not yet rigid: his political and economic "new deal" had been a casualty of the debates of 1926-36, and although the Willcocks Commission reported in 1937, urging that the Coloured people merited better jobs, better trade unions, better schools, better health services and pensions, more opportunities for owning land and a chance to learn how to farm it, and even a parliamentary vote in the northern provinces if they were highly qualified, no legislation followed before Hertzog fell from power. This was almost certainly because he was having a lot of difficulty with his own rank and file. In the case of the Indian populations of Natal and the Transvaal, the voluntary repatriation agreed on in Cape Town between the Indian and South African governments in 1927 had not produced the results anticipated by both parties, and by the mid-1930s there were signs of renewed pressure on the Indian community of both provinces. In the Transvaal, Asian land rights were pegged for two years by legislation of May 1939, and the same kind of white nervousness which underlay this legislation had also revived in Natal, where the first Broome Commission was appointed in the same year to investigate the extent of Indian encroachment.*

In general terms, the South African Parliament had nailed its flag to the mast of Segregation. Nearly all the Opposition wanted more of it rather than less. Hertzog stressed it, with special reference to the territorial factor. Smuts had stressed it in his Rhodes lectures in 1929, as the one way of ensuring that tribal Africans working in white areas remained essentially tribal. Stallard stressed it as essential for the towns. The immense majorities obtained for the Representation of Natives Bill in the Joint Session of 1936 seemed to identify the policy with the outlook of the white community as a whole.

*For reasons of space, and because the primary sources consulted had little to add, discussion of the policies of the Smuts Government towards Coloured people and Asians is omitted from this paper.

If this was true, the major inroads into that policy during the war years required an explanation. The explanation offered here has four main aspects. First, the philosophy of segregation was always less deep-rooted, and more seriously questioned, than the evidence quoted above tends to suggest. Second, changing social and economic conditions beginning well before the fall of the Hertzog Government rendered influx control obsolete at about the same time (the late 1930s) as the Government first tried seriously to enforce it. Third, the policy came into discredit because of its over-enthusiastic adoption by the Malan Nationalists, who had fallen into disfavour with the electorate for flirting too ostentatiously with Nazi Germany. And, fourth, the Representation of Natives Act of 1936 sent to Parliament a singularly well co-ordinated group of white Natives' Representatives whose influence was strong enough - given a Government prepared to lend an ear, above all at a time when African loyalty was important to it - to transform the debate over "native policy" from a discussion of control techniques to a discussion of long-term welfare. But, although Smuts's concern was for the most part deep and genuine, his grasp and timing were unsure and his attention diverted above all by the need to win the war. For these reasons, he seriously considered the new policies advocated by the small liberal pressure group inside and outside the coalition, but turned away from them with excessive caution before the general election of 1943, and then only nibbled at a liberal solution under mounting pressures from black and white radicals before the election of 1948.

To take these points in order, the bad drafting and the inhuman administration of the 1913 Land Act probably helps to explain the delay of ten years before the first major legislation was carried through Parliament for imposing segregation on the urban areas. It also seems clear that the enthusiasm of the ideologues of segregation in the early 1930s alienated at least the South African Party rank and file: Heaton Nicholls may have aroused opposition mainly on account of his lead in the Natal separatist movement, but the ideological arrogance of his Native Affairs Commission Report for 1936 hardly made him popular, while Stallard emerges from the Smuts Papers as a kind of "Enoch Powell" among the SAP pigeons. Nor was the Department of Native Affairs at one over the merits of Hertzog's policies, as the suppressed Young-Barrett Report of 1935, with its unequivocal denunciation of the notion that the towns belong essentially to the whites, makes only too plain.

Social and economic conditions were transformed in the 1930s as a result of the industrial boom following Havenga's devaluation of the South African pound in December 1932. The industrial colour bar ceased to make economic sense when industrial growth produced a shortage of skilled labour, when jobs for unskilled poor whites suddenly multiplied, and when semi-skilled, machine-minding work in industry, for which the job reservation regulations made no provision, began to become available. Because it continued to make political sense, however, the colour bar could not be abrogated. Instead, it was got round. Dilution of labour, the mixing of skilled and unskilled on the shop floor, grew steadily and was boosted by the war. The Government itself employed nearly 14,000 African and Coloured non-artisans in its own factories on jobs for which they were at least questionably eligible in October 1944. The Van Eck Report of 1941 had recommended this dilution of labour. The Board of Trade and Industries approved in 1945 of its results.

Nationalist attempts to keep the ideology of segregation alive are easy to find in the parliamentary debates of 1938 to 1942. Perhaps the best example was the debate on Dr Malan's motion in favour of segregation in 1940. But the Nationalists' contribution to social debate at that time contrasts

markedly with their contribution during the session of 1943, when for the first time they managed to force a repudiation of the arguments of the Natives' Representatives out of the Cabinet. Alamein required them to switch their attention from the war (on which they had wasted their breath) to the threat of communism and anything they chose to connect with it (on which they could get an attentive audience).

The Natives' Representatives were an effective influence. With the frequent exception of the independent-minded H. M. Basner, they acted well as a team. Several of them were products of the Hoernlé liberal seminar, some were also driven by a kind of Christian urgency which imparted a special quality to their appeal. Brookes was perhaps the outstanding example of this. It was Mrs Ballinger who usually arranged their common strategy while Brookes concentrated his tactical efforts rather in the Native Affairs Commission. Together, they saw to it (in a way which Hertzog had perhaps never imagined) that a case for their African constituents was continuously and accurately put. Witness here the volumes of constituency correspondence in the Ballinger Papers, the debate on Rheinallt Jones's motion in the Senate in 1941 commending the resolutions of the Natives Representative Council to "the careful consideration of the Government", Brookes's contribution to the Minister of Native Affairs' policy debate in the Senate in 1942, and Mrs Ballinger's motion on native policy in 1943.

The impact of all these influences can be measured by the change of outlook in the Department of Native Affairs. Officials were clearly more troubled by the Hertzog Government's attempts to impose control over African influx into the urban areas than over either the political or the territorial aspects of the policy of 1936-37. This resulted from a discovery that when the towns were asked in terms of the 1937 Act to report how many redundant Africans they were housing the census returns were unexpectedly low. Douglas Smit, Secretary for Native Affairs from July 1934 until March 1945, went through a typical sea-change. With the mind of a civil servant rather than an original policy-maker, he defended influx control consistently through 1937 and 1938. He took the chair at the Pretoria municipal conference in September 1938, and in a speech prepared for Smuts, who opened proceedings, stressed the importance of influx control and explained that the Government had now taken the power to enforce it because the local authorities had failed to take the initiative themselves. The speech did not contain a trace of ideological doubt. Yet the same D. L. Smit was chairman of the Inter-Departmental Committee of 1942, whose Report not only dropped all reference to influx control but concerned itself with the detailed welfare of urban Africans, and even advocated the abolition of the pass laws. A similar kind of political pilgrimage was made by Henry Fagan, Minister of Native Affairs in Hertzog's Government until 1939, and the author of a well known report which echoed Smit's latter-day sentiments in 1948.

When Smuts addressed the Institute of Race Relations in January 1942, confessing that the history of influx control reminded him of Dame Partington's unequal fight with the Atlantic, he had the benefit of hindsight in knowing that the policy of keeping the towns white had been tried and had failed. African detribalization, which he had hoped to fend off when speaking at Oxford in 1929, was now manifestly irreversible. White trusteeship of black interests was now his substitute formula. This seemed to avoid the ethical dilemma which the abandonment of Segregation left in its wake, by offering another kind of jam tomorrow - white man's jam, from a common pot, once he had acquired the taste, rather than his own stuff in a separate pot but sooner. Hofmeyr would know, when he gave his Hoernlé Memorial Lecture in 1945, that trusteeship had

proved a smoke-screen; but what mattered to Smuts in 1942 was that there should be progress in the development of African health, housing, welfare, wages, before any concessions were made in the field of political rights. How seriously did he try to go for these things?

For a government engaged in fighting a life-and-death war, Smuts's spent a remarkable amount of energy in hunting for the facts which would enable it to make sense of a victorious peace. The Industrial and Agricultural Requirements Commission (chairman: Dr H. J. van Eck) was appointed in September 1939. Following on its important third interim report (1941), Smuts constituted the Social and Economic Planning Council under the same chairman, and this body out-Beveridged Beveridge in the range of its fact-finding activities.

The Inter-Departmental Committee under D. L. Smit, appointed to examine the Social, Health and Economic Conditions of Urban Natives, though not under the same direction, must therefore be seen as part of a much wider inquiry. This Committee was prepared to commit political heresy for the sake of giving a new direction to "native policy". Including, as it did, top civil servants in the Departments of Public Health, Social Welfare and Labour, as well as Native Affairs, this was perhaps to be expected. Not only had it urgent and meaningful things to say about pensions, health and housing, vocational training for Africans and their right to run businesses in urban areas, all of which were on "safe"ground, but it risked the statement that "without amendment of the law, Native Trade Unions should be registered and afforded administrative recognition", with all that that implied for the traditions of industrial conciliation since 1911. It even reached the unprecedented conclusion that because a "burning sense of grievance and injustice" afflicted the Africans on account of the pass laws, it would be "better to face the abolition of the pass laws" rather than perpetuate such a state of affairs, trusting to the retention of a mild curfew and the improved registration of service contracts as a means of preserving urban control.

Social reforms followed, pregnant with possibilities for major social change and not negligible as to actual achievement. These have been described in Margaret Ballinger's autobiography, and covered the fields of workmen's compensation, pensions, unemployment insurance, public health and education in particular. While none involved the spending of enormous sums of money, they nearly all broke new ground by establishing areas of public responsibility where this had not been acknowledged before. Moreover, they implied a degree of co-operation between the Cabinet and the Natives' Representatives which had not existed before and certainly never returned after 1948.

The ability of the Smuts Government to turn the corner in its native policy and start on a new road depended on its capacity to destroy the bastions of the older policy, and of these the most formidable was the pass system. The Natives Representative Council had attacked the pass laws from its inception, carrying strong resolutions every year from 1938 to 1946. W. T. Welsh, taking his cue from the NRC, introduced a motion in the Senate in 1938 urging their "substantial modification and simplification throughout the Union". The Minister, Fagan, would not agree, but sent the request to the Native Affairs Commission, who referred it in turn to one of their members, J. M. Young. Young took his stand on unimplemented official reports of 1920 and 1932, and urged the replacement of the existing jungle of pass laws by a new consolidating law, under which every male African over 18 would have to possess a durable

"certificate of identification", the issue of which would be recorded in his province of origin. Thus Young met the objections to passes based on the complexity of the system, but not those based on their offence to dignity, or on their capacity for filling the jails with short-term non-criminal offenders. But questions in Parliament over the incidence of pass arrests, following on the Smit recommendations, led the Ministers of Justice (Steyn) and Native Affairs (Reitz), who has also been lobbied by the African National Congress, to declare a moratorium on arrests for pass offences in May 1942, "except in circumstances where there are reasonable grounds for believing that the Native concerned has committed or is about to commit some other offence of sufficient gravity to justify such action". The instruction applied to all big urban centres except Cape Town. The number of pass arrests on the Rand fell dramatically, from 13,641 in the three-month period February to April 1942, to 1,808 in June to August.

Unfortunately for this experiment, the prevalence of crime on the Witwatersrand led the same two ministers to set up a committee of inquiry under the Chief Magistrate of Johannesburg, S. H. Elliott. The statistics which this committee produced endorsed its own opinion that, although crime on the Rand was bad, it was not possible at that stage to draw any connection between the crime rate and the relaxation of pass demands by the police. What it did reveal, though, was apparent correlation between the relaxation of pass demands by the police and a decline in the number of work-seeking permits applied for by immigrant Africans at the municipal reception depots. They calculated, not unreasonably, that without rigorous enforcement of the pass laws the existing system of worker registration was in danger of collapsing. They feared "a steady stream flowing into the towns without let or hindrance". The policy of relaxing pass demands was therefore quietly abandoned. They were being asked for again, as routine practice, at least by April 1943. Within a year, a nationwide Anti-Pass Campaign was being organized by a special committee drawn from the representative African political and industrial organizations, with a good deal of sympathetic outside help.

As noted, 1943 was the year in which the Afrikaner Nationalist counter-attack began to be effective, and it started in Parliament as the two sides squared up for the general election. In the Assembly, Malan moved his highly eclectic social security motion on 19 January, steering a course which he claimed would be unpalatable both to Nazis and to Communists, attacking the Social and Economic Planning Council as "neither representative nor competent", and seeking to reassert segregationist ideas while at the same time identifying himself with the current interest in general social welfare. A week later, Eric Louw asked the House to deplore the spread of communism, which produced heated exchanges and had obvious electioneering value. Mrs Ballinger's counter-attack, in the form of a motion urging a new beginning in native policy, consisted largely of an attempt to urge the adoption of the Smit Report; but the new Minister of Native Affairs, Major P. van der Byl, who had only just taken over from Deneys Reitz, went on to the defensive and moved as an amendment that the House was "satisfied that the Government has made and is making every endeavour to carry out the Native Policy envisaged in the 1936-37 legislation and it endorses the policy of the Government to make provision for improved health, housing, education and other social services for the Non-European population": cautious electioneering stuff from a man who had no difficulty in providing it. Brookes had a similar experience in the Senate, but whereas Margaret Ballinger had spoken urgently and belligerently on behalf of radical social change, Brookes preferred gentle persuasion and accepted an amendment by Senator Clarkson, Minister of Posts and Telegraphs, expressing confidence that the Government would act in those situations where the Smit Report had shown

that action was urgent. He seems to have been anxious to avoid a collision with the United Party, for fear of losing all power to influence its majority.

By winning the 1943 election, the UP coalition won a breathing space and, as already noted, made some progress in implementing its policies regarding African pensions and education. But its pitch was queered by two major problems which were probably beyond the power of any government at that time to control, but which, coming on top of the Government's cautious mood at the time of the election, helped to increase black frustrations and encourage African, Coloured and Indian leaders to move closer to each other politically, and work together for political, territorial and industrial rights and for the removal of the pass laws. One of these was the famine in the Reserves, which endured from mid-1945 to mid-1946, and undoubtedly stimulated migration to the towns. The other was the housing crisis in the big centres.

Johannesburg's African population increased by 68% between 1936 and 1946, from 229,000 to 384,000. The Johannesburg city council had started a policy of clearing and rehousing slum dwellers in the early 1930s, established Orlando township for Africans, and soon built more houses in its locations than it could persuade Africans living in "white" suburbs to occupy. There were 1,105 vacant municipal houses in Orlando and Western Native Township in 1934, and still 312 in 1937. But thereafter the increased population pressure filled the vacant houses and began to create a shortage just at a time when the war prevented further building. By 1947 the housing shortage had risen to 16,195. The Government carried emergency legislation through Parliament, taking the power it needed to deal with the emergency in the big cities, but no law could get round the shortage of building materials.

The African squatter movements of 1946-47 arose out of this situation, when a new and enterprising leadership emerged in the townships under men such as James Sofasonke Mpanza. Mpanza provided his own local authority, the "Sofassonko" ("together we shall die") Party, which squatters had to join, paying 2s.6d. membership and 2s.6d. weekly to cover running costs. He provided hessian for shanties, employed camp guards to prevent looting, sold trading rights to shopkeepers, and levied tolls on traders entering the camp. He looked to Johannesburg Municipality to provide water and sanitary services, which Johannesburg had to do. In March 1947, the Government and the angry city council agreed to establish an emergency camp at Moroka, which was opened in June. A triumph for Mpanza's dedicated leadership, the episode nevertheless left a bitter legacy, above all between the Africans and the police, which eventually led to the riots of August 1947, climax of a series of confrontations between urban Africans and the executive arm of white authority which had in recent years produced violence at Vereeniging in September 1937, at Marabstad in December 1942, in Sophiatown in October 1944, and at Springs in July 1945.

Discontent on the industrial front came to the boil at about the same time as the discontent over housing. D. Gosani, secretary of the Council of Non-European Trade Unions, told A. B. Xuma, President General of the ANC, in January 1946 that there were then well over a hundred African unions in being, with a total enrolment of over 150,000 spread through the manufacturing, iron and steel, brick and tile, building, chemical, and explosives industries, the commercial and distributive trades, the railways and municipal services. In the six months ending on 31 December 1942, there were 22 strikes involving Africans alone, and in most of these cases, despite the prohibitions of the statute book

and of War Measure 145, the strikers received satisfaction in return for going back to work. At the end of 1943 the African workers on the Victoria Falls power installations on the Rand came out; African troops were used to break the strike, but it ended with a negotiated settlement under the auspices of the Lansdown Commission, which had been set up to review a wage dispute on the gold mines as well. The facts seemed to indicate that, law or no law against black industrial action, Africans knew how to organize and that it paid them to do so. The question of their recognition, however, remained. Primed by the NRC, Mrs Ballinger pressed for it in the Assembly in 1939 and 1942. The proposal even received a fleeting but eventually negative response from Madeley, the Minister of Labour, in May 1942. This was enough to excite Gosani, and momentarily even Xuma, for the Smit Committee had also wanted unofficial meetings to be allowed between African union leaders and government representatives, so that the industrial councils (the legal conciliation bodies) could be brought under indirect pressure. The Lansdown Commission, reporting in 1944, marked out the limits to which the Smuts Government was prepared to go in all important respects. It accepted the recognition of African unions in principle. But it made an exception in the case of the gold miners, who had established a union in August 1941, on the ground that "no movement ... has emanated from the mine native labourers themselves", and because the Chamber of Mines feared its exposure to communist influence. The Commission looked rather to the appointment of suitable welfare officers under the control of the Department of Native Affairs, "whose duty it would be to move about regularly amongst the mineworkers; to hold at convenient times meetings with them or their chosen representatives", so that their "collective voice ... might find expression", and then report matters of concern to the workers to the Department and to the mine managements. This was similar to the proposals of the Smit Committee, a bid to achieve informally what the electorate would not have allowed in any formal sense; it was also the approach adopted by the Nationalists in their legislation of 1953. But it was less than the African unions were prepared to accept in 1944, and such a differentiation between the miners and other workers had serious consequences. The miners asked four times for ten shillings a shift and better conditions between April and August 1946, and were ignored by the Chamber. The strike of 74,000 African miners in August 1946, carefully timed to coincide with the opening of the NRC session, was the event which precipitated the crisis between the African leadership and the Smuts Government.

Meanwhile, as new inter-racial political movements gathered strength and the ANC sprouted its own more radical Youth League, the Anti-Pass campaign was coming to a head. It had held a conference in the Gandhi Hall, Johannesburg, on 20 April 1944, shortly after the abolition of passes had been moved by Donald Molteno in the Assembly. Xuma, who had been elected the campaign chairman, tried to get an interview with Smuts, working through Mrs Ballinger, in order to present the conference's petition. But Smuts was off to San Francisco. The organizers then decided to accept Hofmeyr, but were rebuffed. Another anti-pass conference therefore met in the Gandhi Hall on 29 April 1945. Smuts declined another request by Xuma for an interview in September, on the ground that he was already considering representations by the NRC. A mass meeting to attack the pass system took place in Newtown, Johannesburg, in November, while early in the new year the Reef Advisory Boards took the issue up, the Smuts Government all along appearing to do nothing. In fact, it did one important thing: it placed the pass laws on the agenda of the Fagan Commission into Native Laws, appointed in the middle of 1946. But, by not acting sooner, it allowed itself to be overtaken by events.

The mineworkers struck on 12 August 1946, and the NRC reassembled on the 14th, each of its members having been asked by Xuma as President-General of the ANC and as chairman of the Anti-Pass Committee, on 26 July, to adjourn their session unless the Government agreed to abolish the pass laws, recognize African trade unions under the Industrial Conciliation Act, and repeal the oppressive sections of the Urban Areas Act and the sections of the Native Administration Act of 1927 which permitted banishment without trial. Fred Rodseth, opening the NRC session in the absence of Mears, who was investigating the strike, made no mention of the strike in his opening address, and had no information to give when pressed by members, though he did attach a lot of importance to the Fagan Commission, to which the ANC had already been asked to submit evidence. But the NRC reacted angrily. Dr Moroka, who in any case thought there was no substitute for direct representation in Parliament, moved the adjournment of the session with a motion which was antagonistic in tone and obviously intended to be so; and this was significant because the motion was supported unanimously by radicals, by moderate intellectuals, and even by chiefs.

The Natives' Representatives immediately began pouring oil, Mrs Ballinger urging Matthews and Godlo to see that the November session met as usual, lest the "old man" outmanoeuvre the NRC by appointing others in their stead. Brookes wrote to his colleagues on the Native Affairs Commission and to Hofmeyr, urging them to consider a meaningful programme of reform and not take umbrage and stand on their dignity - as, indeed, Hofmeyr was inclined to do. Brookes thought that the constitution of the NRC needed fundamental review, that it should be given an executive to facilitate negotiations, and that it should be given better accommodation and amenities, for indignities and inconveniences had helped to build up its explosive mood. But his proposals went a good deal further: "Unless we are prepared to take seriously questions such as those of the Pass Laws, and new and irksome controls, and to make unequivocal declarations of policy in favour of free and compulsory primary education, and the strengthening of the status of the Representative Council, we shall be heading for disaster", he warned. He also wanted a judicial commission to investigate the miners' strike, which would have had the effect of removing it from public controversy, and the recognition of African trade unions on lines to be worked out by another commission "with two natives on it".

Hofmeyr discounted Brookes's advice, telling Smuts, who was at the UN meeting in Paris, that he thought whites would look on such proposals as surrender. He preferred "a friendly and conciliatory but firm statement of government policy as at present followed", which would attempt "the difficult task of relating our present frankly discriminatory policy with the expectations aroused in the native mind by the Atlantic Charter, the United Nations Charter, and your own (misunderstood) Capetown speech where you talked of the failure of segregation" (i.e. the 1942 speech). If linked with a declaration of intention to recognize African unions, Hofmeyr thought, this "might put us right in the eyes of the world" even if it did not satisfy the NRC. Smuts, however, saw something in Brookes's proposal, and asked for a draft on the lines of Brookes's plan to be approved by the Cabinet and sent to him, remarking that "our native policy would have to be liberalized at modest pace but public opinion has to be carried with us.... Practical social policy away from politics as stated by me still holds, is being carried out, and will be so more and more as finance permits". (With a crisis over Natal Indians looming up, Smuts was already beginning to find international pressures in Paris embarrassing.)

At the Native Affairs Commission meeting on 27 September, Brookes was opposed by Smit who, like Hofmeyr, was ruffled by the tone of the NRC resolution and feared for the Government's public image. But the Commission did agree that Hofmeyr, as acting prime minister, rather than Van der Byl, the Minister of Native Affairs, should be asked to address the NRC. This had marked conciliatory implications, and Brookes hastened to warn Hofmeyr that to avoid a breakdown he would have to give the NRC "more than a mere statement of government actions": they needed something to look forward to. The form of Hofmeyr's statement was worked out in further correspondence between Smuts and Hofmeyr, who conferred with Van der Byl, Mears and Rodseth, and he read it to the Africans on 20 November.

Hofmeyr rejected the "violent and exaggerated statements" of the August resolution and swept aside its demand for abolition of all discriminatory legislation as unrealistic. He then went on to expound the Smutsian maxim of gradual change and - fairly modestly - to list the good things that the Government had done for Africans. He talked of intentions to legislate for the recognition of African unions "in conformity with the recommendations of the Lansdown Commission", though it was "not proposed to provide for the recognition of a trade union for Native Mineworkers". But his statement had almost no reference to other aspects of future policy. In this respect, Brookes had been ignored; and for this Smuts, Hofmeyr, the Cabinet, and the Native Affairs Commission were all responsible.

The NRC replied on 26 November, repudiating the censure which Hofmeyr had delivered, accusing the Government of recklessness for having caused miners' deaths, and finding the statement "Disappointing" because it "made no attempt to deal with ... the Pass Laws, the colour bar in industry, the political rights of Non-Europeans". It set the social reforms of the Government against the actual needs of the situation, found them all insufficient, and hammered the Government for not conceding collective bargaining rights to African workers. Finally, it wanted direct African representation at all levels from municipal councils to Parliament.

Hofmeyr and Mears were clearly taken aback by this rejection, and rather weakly tried to persuade the NRC to remain in session to deal with important routine business. The Government now came under pressure from the Natives' Representatives as well. In January 1947 Mrs Ballinger was exasperated by Smuts' assertion in the No Confidence debate that the 1936-37 native policy was still working well. She told Matthews not to let such a statement go unchallenged, and confided in Dr Bokwe of Middledrift that "the prime minister seems to have lost his head completely". Smuts had read the NRC's rejection of Hofmeyr's statement of 20 November as meaning that they would be satisfied with nothing less than effective political power, which indeed they had actually said. He told Margaret Gillet on 7 February that "the Natives want rights and not improvements", and reacted in the same way to Mrs Ballinger when she told him that the abolition of the pass laws and a promise of consultation could buy ten years: "But isn't it votes they want?" Yet he felt sufficiently encouraged by her words to ask her to send him a list of proposals for a new direction in native policy, which she proceeded to do "with an eye to what is politically possible and capable of argument in our political context". What she sent him was a document suggesting the recognition of permanent urban communities of Africans and their families, better training for increasingly scarce African farm workers, the gradual replacement of the pass laws by a better system of labour exchanges, a promise of meaningful consultation with the NRC, and extension of African representation in the municipal and provincial councils: "practical social policy", almost without politics, in fact.

The Native Affairs Commission was accordingly sent into its tank. There it brought out of storage a report of the NRC's 1943 recess committee, which had originally been ignored, asking for minor changes within the 1936 Representation Act - 2 more white senators, 7 more white representatives in the Assembly, and representatives in all provincial councils, all chosen by adult suffrage on a communal basis, and a larger NRC. But the Native Affairs Commission found even these outdated demands a little too extreme, and set about recasting the structure of African representation so as to avoid the extension of their political power vis-à-vis the white electorate. Thus it accepted the recess committee's idea of an enlarged NRC, going back to fifty elected members as originally proposed by Hertzog in 1926. This enlarged NRC was to be made the apex of a new, integrated African representative system, resting on a structure of general, district and local councils as foreshadowed and partly developed under the Native Affairs Act of 1920 for rural areas, and on a properly constituted Urban Advisory Boards Congress for the urban areas. The NRC was to have an African chairman, which would emphasize its status as a political rather than an administrative body; it was to be allowed to make by-laws subject to parliamentary disallowance, take over the levy of the general tax from the existing general councils, and have an executive committee whose members would hold individual portfolios. The proposals suggest an attempt to incorporate Brookes's arguments for the restructuring of the NRC with the ideas currently voiced by Smit that if the NRC were to play a political role its constituency structure needed simplifying and its membership increasing, and that if Africans were to advance in self-government they needed greater administrative involvement and, above all, experience in the running of public finance - sensible enough, but hardly sufficient concessions at a moment of political confrontation.

Smuts put the proposals to Matthews and five other NRC members on 8 May, repeated his argument of 1942 that influx control had failed, and told them that the Hertzog-inspired NRC of 1936 had also failed because it was "simply a debating chamber ... a platform from which to express grievances". But rather than abolish it, as some urged, he wanted to give it "a measure of responsibility" as a fully elected body. He did not mention the power of taxation which it had been proposed to give the NRC. He mentioned the proposed Advisory Boards Congress - but such a congress had met unofficially since 1929. He then explained that residential segregation in urban areas remained government policy, but that blacks and whites must continue to share a common economic system. Problems arising out of this relationship, notably the pass laws and migrant labour, had been referred to the Fagan Commission. Smuts concluded by referring to trade unions, but was unable to go beyond what Hofmeyr had offered - segregated unions alone were to qualify for recognition, and there was to be no recognition for the miners. Where his proposals were definite, they were hardly concessions. Where he appeared to have something to offer, he was unable as yet to say what it was.

The reaction of the NRC and of other African leaders was one of uniform disappointment. The Council's adjournment continued. Smuts evidently contemplated recalling the NRC, but then decided rather to ignore them and made a press statement about his future intentions. Brookes took the trouble to caution him even at this stage against antagonizing the NRC leaders "so as to leave the door open for future discussions" - advice which Smuts took seriously, as was clear from his reaction to Malan's attacks in the Assembly on 20 January 1948: "Do not let us break off, but let us give them certain powers and see ... what use they will make of the executive powers that will be accorded to them.... We must not abolish the Council but go forward" - all this in spite of the fact that the NRC caucus had met in November 1947 and decided that they had nothing to expect from the Government.

On the African side too, however, there was a clear reluctance to knock the bridges down. Talk of boycotting NRC and Natives' Representatives elections had started early after the start of the crisis in August 1946, and had been strongly urged at a special ANC conference in October 1946. Lembede and Kotane of the ANC, Mosaka and Moroka of the NRC, and Basner among the Natives' Representatives, all favoured this line. The ANC and NRC moderates, however, notably Xuma, Godlo and Matthews, were opposed, as were the other Natives' Representatives. There were, that is, moderate forces on the African side with whom a government prepared to make concessions could probably have concluded a deal. The Government's question, as unanswerable now as it was then, is whether, given a settlement on, say, the lines argued by Margaret Ballinger in February 1947, the moderate African leadership could have held control over their rank and file.

For Smuts, there was the problem, on the other side, of pre-election jitters blended with complacency within his own party. This had been apparent as early as March 1947, when S. J. Tighy, MP for Florida, Transvaal, told Smuts that the Nationalists had won a Wolmaransstad by-election by attacking the UP's native and immigration policies, and that it was urgent to refer native policy to a commission of experts so as to remove it from the political arena. Three days later, "Okkie" Oosthuizen, the Party Secretary, sent Smuts a draft brochure on "South Africa and the Governance of Natives and Coloured Races", a crudely unpolished study in equivocation intended for both internal and domestic propaganda purposes but clearly most suited to the white internal market. J. W. Mushet, Smuts's Minister of Public Works, toured the north-eastern Cape in August, and reported to Smuts that the colour question was the Party's "deadliest danger". Like Tighy, he urged that it be removed from current controversy and placed in the hands of what he disarmingly called a "quasi-scientific" body so as to "take the teeth out of the opposition propaganda":

"The 'Swart Gevaar' is like a veritable Atom Bomb.
If the Opposition use it with maxima [sic]
potential, anything can happen to us in every
constituency I have visited."

Smuts marked this passage for discussion with Hofmeyr. Whether to believe the prophets of doom or the optimists was a problem for the UP leaders, especially after the loss of Hottentots Holland by Sir de Villiers Graaff in January 1947. In April 1948, Oosthuizen was supremely confident, sending Smuts a report that in the Cape the UP was expected to win thirty-one safe seats and possibly twelve others, as against the thirty-four held at the time of dissolution. On the other hand, Louis Karovsky of Johannesburg told Hofmeyr that unless it shook up its organization the UP would lose sixteen seats on the Rand - which it did, as he took the trouble to remind Smuts when the 1948 election was over.

Government policies emerged, then, from a conflict of pressures. The Fagan Commission had the task of thinking them out. Appointed before the miners' strike to investigate the whole urban problem afresh, with special reference to the pass laws and migrant labour, Fagan's commission was also asked, in mid-stream, to produce a special report on the Moroka riots of August 1947. The Native Laws Report was ready by 19 February 1948, and the Moroka Report by 28 April. It is not difficult to see, in Fagan's recommendations, a reflection at least of the kind of advice which Margaret Ballinger had been giving Smuts in February 1947. His proposals for a Union-wide system of labour bureaux, which might eventually provide a substitute for influx control, can be traced, via Mrs Ballinger, back to the Smit Report. His proposals for the stabilization of African urban labour, which meant - as he stressed forcefully in the Moroka Report - encouraging those

who worked in the towns to bring their families with them, was likewise an idea which the Natives' Representatives had been pressing very hard. Fagan did not think that the system of migrant labour could be legislated out of existence, or stopped by administrative decree, any more than he thought stabilization of labour could be forced on employers. But he strongly urged that they be encouraged to experiment, for example, on the new OFS goldfields. At the same time, his recommendation that villages should be built in the Reserves for the concentrated settlement of the landless - though it was not developed, and could prove highly irresponsible unless coupled with close attention to the provision of work opportunities, as later Nationalist policies would clearly show - was an attempt to check the rate of African urbanization, which was too fast for the authorities to deal with. On the pass laws, Fagan was strangely equivocal, for he seemed both to want to preserve passes as a control device while at the same time wanting to make them attractive, under the name of identity cards, to be voluntarily applied for, on account of the employment security which they were to provide. But at least he was trying to extend the line of thought started by Smit. The value of the Report in general lay not so much in its detailed proposals, for it was a short report and these could only be described as defective, as in the fact that it did propose a change of direction, as Smit had done in 1942. It represented the most considered view of which the combined thinking of the Smuts Ministry, prodded by the Natives' Representatives, were capable under conditions of extreme political stress. Published two years earlier, in time to enable the Government to put some of its ideas into practice, there was an outside chance that it might have changed the direction of South African policy; but, appearing so near the end of the Government's term, with none of its recommendations yet tested in practice or in public debate, it offered the electorate a liberal aspiration rather than a policy, and, if the choice for the voters was between aspirations, the Sauer Report of the Nationalists seemed to offer more security on more traditional lines.

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A note on Sources

Unpublished primary material used in the preparation of this paper included the Smuts Archive (microfilm, Cambridge University Library), the J. H. Hofmeyr, A. B. Xuma, and V. M. L. Ballinger Papers (University of the Witwatersrand Library), the D. L. Smit Papers (Settlers' Museum, Grahamstown), the S. H. Elliott Report on Crime on the Witwatersrand (1942), and the H. A. Fagan Report on the Moroka Riots (1947).