

THE POLITICS OF ADMINISTRATION:

A study of the career of Dr. D.L. Smit with  
special reference to his work in the Department  
of Native Affairs, 1934-1945

by

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## TABLE OF CONTENTS

	Acknowledgements	i
	Table of Contents	ii
	List of Abbreviations	iii
	Preface	1
CHAPTER I:	Part 1: A Civil Servant	3
	Part 2: Native Affairs	6
CHAPTER II:	Administration of Policy during the war years	24
CHAPTER III:	Towards an Educational Policy	52
CHAPTER IV:	The Native Representatives Council, The Native Affairs Commission and D.L. Smit	80
CHAPTER V:	The New Reclamation Scheme	108
CHAPTER VI:	Administrator to Politician	129
CHAPTER VII:	Conclusion	150
	Bibliography	160

## LIST OF ABBREVIATIONS

AAC	-	All Africa Convention
ANC	-	African National Congress
CNC	-	Chief Native Commissioner
NAC	-	Native Affairs Commission
NAD	-	Native Affairs Department
NC	-	Native Commissioner
NEAD	-	Non-European Affairs Department (Municipal)
NRC	-	Natives Representatives Council
SAIRR	-	South African Institute of Race Relations
TED	-	Transvaal Education Department
TLC	-	Trades and Labour Council
UED	-	Union Education Department
ULA	-	Urban Local Authority
UG	-	Union Government

## PREFACE

The written history of modern South Africa is limited by the moratorium on archival material common to all contemporary research, and the present study is intended, in part, to help fill this gap. It has a two-fold design: first, to point out some of the anomalies in the relationship between administration and policy and secondly, to show the extent to which they are interdependent in Dr. D.L. Smit's career. In the process, I hope to clarify and to comment on some of the mechanics involved in Native Administration.

The term 'Native' is used designedly here. I have used it wherever it is chronologically apposite; otherwise the term 'Black' is used throughout, though without the all-embracing, 'non-white' connotation it carries in South Africa today. The term 'liberal' presents a more complicated problem. In the South African context it is used to represent varying shades of political opinion, from that held by Hofmeyer, who was an advocate of social and residential segregation, to that of the now defunct Liberal Party. I have purposely enclosed the word in cautionary commas to indicate my dissatisfaction with it.

The research is based mainly on unpublished collections and on government reports, the bones of which are provided by the Smit papers. These also provide the reason for the chronology of the work, which is divided into sections intended to reflect Smit's own interests and those aspects of his career which best demonstrate his influence. Thus the brief treatment afforded his earlier career is because of its relative historical insignificance.

Smit has been a difficult subject to study because of his simplicity. From the available evidence he emerges as what E.M. Forster would have called a perfectly 'rounded' character and there are no distinctive or

or eccentric features of personality to latch on to. Although this is not a biography, I have felt a biographer's responsibility to my subject who is, after all, the centre of the study. I have at times found his honesty almost daunting; it was this virtue, however, combined as it was with sufficient quantities of 'virtu' to win even Machiavelli's approval, which made him an administrator worthy of study.

## CHAPTER I

PART I : A Civil Servant

Douglas Laing Smit was born in the little village of Seymour, in the Eastern Cape, on 21 March 1885. His parents, N.H. Smit and Mary Anne Sargeant were both the children of missionaries - the Rev. N.H. Smit, who worked among the coloured people at Grahamstown and the Rev. William Sargeant, a Methodist from the Salem area. Douglas himself went to the government school at Seymour, but always considered that the most enduring aspects of his early education were acquired from the Rev. Robert Martin, who was the Anglican rector of the village.<sup>1)</sup> From his grandparents he inherited an abiding respect and admiration for mission work in South Africa, and from Robert Martin that faith in Christianity and the ultimate goodness of God which remained with him throughout his life.

The very first thing one encounters in the Smit Collection is a letter, obviously cherished and carefully preserved, from Lord Roberts at Army Headquarters in Cape Town in 1900. The writer regretted the inability of the British army to accept the services of the fourteen year old Smit, although the boy's concern was deeply appreciated.<sup>2)</sup> This was early evidence of another kind of faith, which was also to prove an enduring one. Armed, then, with an unshakeable belief in the justice of God and of the British Empire, Smit entered the Cape Civil Service in February 1903, the year after he left school.

It was in the Department of Justice, in Grahamstown, that he first started to work. He served under Francis Graham in the Grahamstown

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1. From Smit's career outline, written at the request of Senator E.C. Welsh on the former's retirement in 1945, Smit Papers, 10/45.
  2. 6 February 1900, 1/1900.

Magistrate's Office and passed his Civil Service Lower Law Examination in the same year. His superiors were delighted with his hard and conscientious work and after six years of working and studying in Grahams-town, he was appointed as a relieving officer in the Department. In 1912 Smit became the first civilian Public Prosecutor at East London in the service of the first Union government.

In July, 1912, he married Charlotte Reay Shaw, a descendant of the well known Grahamstown missionary. A great deal of his energy as Public Prosecutor in East London was devoted to stamping out the illegal liquor traffic there. His concern with this, and with other activities which he regarded as leading to corruption and exploitation stemmed from the fact that he himself never drank alcohol and regarded it as one of the greatest social evils. The image of the single-minded Puritan is by no means apposite to Smit however, who had a lively and perceptive mind and a keen sense of humour.

By 1916 Smit was pushing hard for promotion. In this cause he enlisted the services of his family, of Sir Thomas Graham of Grahamstown and of Sir James Rose-Innes. His sons, Charles and Allan had been born by this time, and in December 1917 he was promoted to being Public Prosecutor in Cape Town, with a substantial salary increase to support his growing family.

Between 1918 and 1933, Smit moved around the Union, serving the Department of Justice in various capacities. From Cape Town he went to Port Alfred as magistrate in 1924, and thereafter spent three years as Public Prosecutor in Johannesburg. Although the latter post represented a considerable step up the service ladder, with a Senior Clerk rating, he spent most of his time in Johannesburg trying to get a transfer. His wife had been told by doctors that the altitude would be fatal to her health, and she was forced to move to the coast. (Later, with the

advances in medicine, and when her condition had been rather more scientifically diagnosed, she was able to spend long periods on the Highveld without any injurious effects at all). There also appear to have been other reasons why Smit disliked his work in Johannesburg, but these were never clearly expressed.<sup>1)</sup> Early in 1927 he achieved his transfer and was posted to Aberdeen, first as a magistrate and then as civil commissioner.

After a year spent as a magistrate in Port Elizabeth, Smit returned to East London as an additional magistrate, with his wife and three children (a daughter, Peggy, had since been born). He had, by this time, built up a considerable reputation for hard work and acumen within the Department. In 1933, after thirty years in the Civil Service, he was appointed under-secretary for Justice. He was at the top of his career at this stage, with the comfortable expectation of the Secretaryship before very long and might have<sup>had</sup> a solid and unspectacular future in the Department had there not been a change of government the following year.

Smit's lengthy service in the Justice Department, as well as its peripatetic nature meant that he had become a familiar and respected figure in South Africa and had caught the attention of several politicians, including General Smuts. When, therefore, the advent of the Fusion government in 1934 coincided with the retirement of Major Herbst as Secretary for Native Affairs, it was on Smuts's recommendation that the new United Party government appointed Smit to fill the vacancy. He was appointed over the heads of several senior and experienced Native Affairs officers, whose resentment was not unjustified, particularly

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1. Letters to and from the Department of Justice, 1926, Ibid., 3/26 and 4/26.

as the Department of Native Affairs offered far fewer opportunities for promotion than did the Department of Justice. As a magistrate though, with the peculiar arrangement which existed between the two departments (see pp. 8-10), Smit had considerable experience of Native Affairs. The NAD, in 1934, had little of the political importance it was later to acquire but the choice of Smit as Secretary might well have been an indication that, with the Hertzog legislation forthcoming, the government had begun to realize the need for a strong department to administer it.

On the evidence of those who knew him and of a letter from Sir Thomas Graham on his appointment in 1934,<sup>1)</sup> it seems clear that, while Smit admired Smuts wholeheartedly, he did not extend this admiration and trust to the Fusion government as a whole and that there were aspects of the new government about which he had misgivings. There is very little evidence, before 1934, as to the kind of political ideas Smit held, although his letters quite clearly reveal that he shared the paternal attitude towards Blacks of most of his contemporaries. The reason for this appears, again, to be the general lack of attention towards the activities of the Native Affairs Department, despite the 'Swart Gevaar' tactics of 1924. It was Smit's administrative experience in the Native Affairs Department which shaped many of the ideas which he only began to articulate publicly after 1942.

## PART II NATIVE AFFAIRS

The tendency in modern government to grant legislative powers under enabling, rule-making clauses to departmental officials, and to give them extensive authority which is virtually outside the scope of the courts, is more evident in Native Affairs than in any other spheres of state activity.  
(H.J. Simons, "Civil Rights and the African Population," SAIRR Papers, B72(1))

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1. 6 July 1934, Ibid., 2/34.

In 1941, after he had been Secretary for Native Affairs for seven years, Smit was described by R.F. Hoernlé as "a liberal handicapped by his official position."<sup>1)</sup> It is not proposed to deal with the assumption of Smit's 'liberalism' in this chapter, but to show, by means of a brief overview of the structure of the Native Affairs Department and its functions within the newly defined policy of 1936, that Smit's official position, while it muzzled his voice and imposed limitations on the range of his activities, nevertheless provided him with the means of undermining the pillars of the very system within which self styled 'liberals' were able to do very little more than "ambulance work".

The South Africa Act of 1909 effected the separation of Native Administration from that of the other government departments. In 1920, the Native Affairs Act established the Native Affairs Commission, an "independent body of experts" which would give "calm and dispassionate consideration to any complex and difficult question which might arise"<sup>2)</sup> and, in 1927, the Native Administration Act conferred those special executive and legislative powers on the Minister of Native Affairs (the actual "supreme chief" in terms of the Governor General's designation) which enabled his department to operate virtually independently of the White legislature.<sup>3)</sup>

From 1927 then, the Governor General was the supreme chief of every tribe in Natal, the Orange Free State and the Transvaal. Because Cape policy had consistently aimed at the destruction rather than the perpetuation of the tribal system, the executive powers enjoyed by the

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1. R.F. Hoernlé to Bishop Clayton of Johannesburg, October 1941, Ibid., 25/41.
  2. Howard Rogers, Native Administration in the Union of South Africa, (Revised Edition by P.A. Linington, Johannesburg: University of the Witwatersrand Press, 1949), p. 17.
  3. Although Parliament had the power to amend or repeal proclamations, which were required to be laid on the table of both Houses, Simons found no evidence, for the period 1927 to 1945, that it ever did so. (Civil Rights and the African Population, " SAIRR Papers, B72(1)).

Governor General were not extended to this province along with the power to legislate by proclamation.<sup>1)</sup> Section 25 of the Act empowered the Governor General to amend by proclamation any law applicable in Native areas (defined as areas within which two thirds of the population consisted of Natives) or to proclaim new laws therein. In terms of section 27 of the Act, he was also empowered to legislate in this manner outside these areas, on specially defined subjects or for particular classes of people. Section 29 made it a punishable offence for any person "to say or do anything with intent to promote feelings of hostility between Natives and Europeans." The punishment for such an offence was to be exclusion (in the case of a 'non Native') from the area in which the offence was committed, and confinement (in the case of a Native) to a particular Native area. Armed with these powers, then, the Minister of Native Affairs became, in 1936, the guardian of the South African Trust, the mechanics of which devolved largely on the organizational abilities of the Secretary for Native Affairs.

For the purposes of administration, the Union was divided into a number of large districts under the control of a Chief Native Commissioner, directly responsible to the Secretary. Smaller units within these districts were under the control either of a Native Commissioner, or a magistrate, or both. Where an area had a predominantly Black population, the magistrate was almost always an officer of the Native Affairs Department. In areas where there was a large White population as well, the magistrate was usually an official of the Department of Justice who held a watching brief from the Native Commissioner for those Blacks who fell under his jurisdiction.

In the Cape Province, the two main areas of Native Administration

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1. The executive powers comprised largely tribal matters, such as the transfer of the contractual powers of chiefs, definitions of boundaries, arbitration of disputes, etc.

were the Transkeian Territories and the Ciskei. The former was administered by a Chief Magistrate and Native Commissioner, and twenty-seven magistrates and Native Commissioners who were all officers of the Native Affairs Department. Both areas boasted a General Council whose revenues derived largely from contributions from district and local councils. The Ciskei was under the control of a Chief Native Commissioner stationed at Kingwilliamstown. The six predominantly Black districts of Herschel, Glen Grey, Keiskamma Hoek, Middledrift and Peddie were under the control of magistrates and Native Commissioners who were all officers of the Native Affairs Department. There were also Commissioners at East London and Port Elizabeth and Assistant Commissioners at Whittlesea (in the Queenstown district) and Capetown. In the remaining districts magistrates of the Department of Justice were responsible for the administration of Native Affairs, subject to the supervision of the Chief Native Commissioner.

In Natal, a Chief Native Commissioner with headquarters in Pietermaritzburg was responsible for the administration of the whole area, including Zululand. Before 1928 all districts in this province had been administered by the Department of Justice, but "in view of the existence of large Native populations" eleven districts were placed under NAD control in that year.<sup>1)</sup> Native Commissioners, at the instigation of the Native Affairs Department, were appointed to Durban, Pietermaritzburg and Umbulu (in the Umlazi district) and in 1937 a new office of Assistant Native Commissioner was established in Estcourt.

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1. Report of the Department of Native Affairs for the years 1937-38, p. 4.

It was in the Transvaal that some of the holes in this system or rural administration were most glaringly apparent. All magistrates in this province were employed by the Department of Justice. Most of them were regarded as "ex officio Native Commissioners and in this capacity ... for practical purposes officers of the Native Affairs Department."<sup>1)</sup> This meant, in effect, that the administration of a great many areas depended on untrained and largely unsupervised Justice officials, who, with far greater prospects of promotion in that department, were replaced at frequent intervals by further inexperienced officers, who regarded the posts as temporary stepping stones in their careers. In a critique of the system of Native Administration published by the Rand Daily Mail in 1925, Edgar Brookes selected this point as one of the main objects of his attack.<sup>2)</sup> In the more densely populated Black areas, Native Affairs were administered by Native Commissioners, Additional Native Commissioners and Assistant Commissioners, while in other areas still, Native Affairs work was especially allocated to particular members of the Magistrates' staffs. Until April, 1936, the Under Secretary for Native Affairs acted as Chief Native Commissioner for the Transvaal as a whole, but a separate office of CNC for the Northern Areas (with headquarters in Pretoria) was created at that time, with jurisdiction over all those areas which were not controlled by the CNC for the Witwatersrand, over the Orange Free State and various magisterial districts in the Cape. New offices of Native Commissioner and Assistant Native Commissioner were established by the NAD in Potgietersrust and Lichtenburg in 1937.

In the Orange Free State, Department of Justice magistrates acted

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1. Ibid., p. 2.

2. Rand Daily Mail, 6 July, 1925.

as the representatives of the NAD where they were assisted, in the Harrismith and Thaba Nchu districts by Assistant Native Commissioners who were officers of the Native Affairs Department. The system was based on

an understanding between the Departments of Native Affairs and Justice that, in respect of magistrates under the control of the latter in certain districts where there is a large Native population the selection of the officer to occupy the post should be the subject of consultation between the two departments. 1)

In addition to the various sorts of White official, the NAD exercised control through the agency of nearly two thousand chiefs and headmen in all four provinces. A large number of these had civil jurisdiction over their areas under Section 12 of the 1927 Act while a fair number had been given criminal jurisdiction under the same act.

In all, there were six major legislative enactments administered by the Department of Native Affairs before 1936. These included the 1911 Native Labour Regulation Act, which was carried out by a Director of Native Labour, who combined this office with that of CNC for the Witwatersrand. Seven Native Commissioners under him each controlled a staff of Inspectors and pass officials who visited the compounds, dealt judicially with petty offences and generally "watched over the welfare and interests of Natives employed on the gold mines." 2) Together this Act, the 1913 Natives Land Act, the Native Affairs Act of 1920, the 1923 Natives (Urban Areas) Act, the Natives Taxation and Development Act of 1925 and the 1927 Natives Administration Act formed the basis of Native Administration. Officers were, however expected to carry out, on behalf of other departments, "the provisions of innumerable other enactments. [The department] acts as the agent of all other departments insofar as their activities touch the Native

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1. Report of the Native Affairs Department 1936-37, p. 3.  
2. Ibid, p. 4.

people."<sup>1)</sup>

It was a loose, ill defined and badly co-ordinated system. There were apparently no meetings between Departmental heads<sup>2)</sup> and letters flew back and forth between the Public Service Commission, the NAD, the Department of Justice and the Treasury - all of which were concerned in the administration of Native Affairs. The Secretary for Native Affairs made most of the decisions in the Department, especially after Smit took over this post<sup>3)</sup> while the weak ministerial control which had been a marked feature of Native Affairs before 1924<sup>4)</sup> was, if anything, even weaker after 1934.

Smit's hand was immediately evident in the Departmental Report for 1935-36:

The judgement of history on the South African nation will be dependent largely on its treatment of the Native problem and, although of course policy is the determining factor, a great and inspiring responsibility falls on those who are called upon to translate that policy into action 5)

This was unusually emotive language for a departmental report and there was nothing comparable in the style and content of earlier reports.<sup>6)</sup> As far as the higher echelons of the Native Affairs Department were concerned, there is evidence that Smit's sense of responsibility was shared. It was at the lowest levels of administration that the Department earned its reputation for oppression, invoked the censure of Brookes in 1925, became the subject of heated debates in the Senate,

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1. Report of the Department of Native Affairs, 1935-36, UG41-1937, p. 12.
  2. Information from Major F. Rodseth in a private letter, 29 November 1977.
  3. Ibid.
  4. A.G. Smurthwaite, "The Policy of the Smuts Government towards Africans 1919-1924" (unpublished M.A. Thesis, University of South Africa, 1975), p. 166.
  5. UG 41-1937, p. 4.
  6. With the exception, of course, of the Native Affairs Commission Reports, especially those between 1936 and 1944.

lost the confidence of the rural members of the Native Representative Council and bedevilled the progress of agricultural reform in the reserves.

Before the 1936 Land Act was passed, nearly all the agricultural work undertaken by the Department had been financed from the Native Development Account established by the 1925 Native Taxation and Development Act and initially comprising one fifth of the revenue from Native taxation. Since a large proportion of this sum was allocated to Native Education, among other things, the economies which the Department was forced to practise were often inimical to the progress of efficient administration. Economy was one reason why Justice officials were used so extensively in the administration of Native Affairs. It was economy too, which dictated that where Superintendents of rural locations were appointed they were usually men with some sort of agricultural background who doubled as agricultural officers. By 1935 eleven such location superintendents had been appointed in large magisterial districts with scattered locations, whose duty was to "keep in close touch with the Native people, assist them to administer their domestic concerns and act as intermediary between them and the Native Commissioner."<sup>1)</sup> They had also, however, to

report to the Native Commissioner the presence of unauthorized persons or persons who are present for the purpose of disseminating undesirable propaganda among the Native people ... and ... to prevent unauthorized occupation of or encroachment on land and unauthorized entry of ... stock into locations." 2)

Their unpopularity was notorious. The 1936 policy depended on co-operation and it was this kind of contact, (on which, in turn,

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1. Report of the Department of Native Affairs, 1935-36, p. 14.  
2. Rogers, Native Administration, p. 10.

co-operation depended), which soured its prospects.

The Department must endeavour with sympathy and discretion to adjust difficult and delicate points of contact between Natives and non Natives and to provide a just and equitable balance where the interests of one race impinge upon those of others. 1)

The testimony, throughout Smit's office, is to the effect that in this, at any rate, the Department failed - with the inevitable political consequences. In 1944 NRC Councillor Champion assessed the damages thus:

... the officials of the government, without realizing what they are doing, are doing great harm in the minds of the Natives ... without intending to do so, the government is teaching the Natives ... to hate the highest authority in the land. 2)

The 1936 Natives Trust and Land Act and the Native Laws Amendment Act the following year, increased the responsibilities of the Native Affairs Department without substantially increasing either its personnel or its financial resources. It had, before 1936, been responsible for the expenditure of a number of trusts and estate accounts, as well as the Development Account. All these trusts <sup>3)</sup> were merged in the South African Native Trust established in that year, with the exception of the Umnini Trust in Natal, the Transvaal Tribal Trust Funds and the Natives Estates Account. <sup>4)</sup> Between 1936 and 1945 the Trust spent a total of £21,683,750, of which only £3,582,526 came from government grants. Under the Land Act, the activities of the Native Affairs Department which had previously fallen under the vague heading of

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1. Ibid., p. 15.
  2. Natives Representative Council Verbatim Reports, 9 August 1944, p. 59.
  3. The British Bechuanaland Fund, O.F.S. Imperial Grant-in-aid, Natal Native Trust, Natal Mission Reserves Account, the Putile Trust, Zululand Trust and Native Development Account.
  4. The last dealt with the assets of dead Native labourers and with compensation payable to workmen under the 1941 Workmen's Compensation Act. It was the responsibility of the Director of Native Labour to administer.

'welfare and development' and included desultory and unsystematic attempts at agricultural and land reform, were given formal definition and scope. Once the NAC, the Minister of Native Affairs and the Lands Department had decided to buy areas of 'released' land, the Department was responsible for their settlement and upkeep. Existing locations had also to be "afforded an opportunity to recover"<sup>1)</sup> - in order, that is, that the system of land purchase and resettlement did not become self perpetuating.

A virtual sub-department of the NAD, under a controller of Native Settlements attached to the head office, was established following the 1936 Act. Despite this however, the actual staff increase was minimal in comparison with the expansion of the de jure responsibilities of the Department. The following table records the staff increase between 1935 and 1938:

	1935-1936		1936-1937		1937 - 1938		
	Whites	Blacks	Whites	Blacks	Whites	Blacks	
Head Office	57	5	58	5	98	9	
NAC	4	2	5	2	5	-	
Native Appeal Court	4	2	4	2	5	2	
District Admin.	504	935*	556	1,007*	681	1,105*	
Chiefs and Head- men	-	1,626	-	1,640	-	1,626	
<b>TOTALS</b>	<b>569</b>	<b>2,570</b>	<b>623</b>	<b>2,656</b>	<b>789</b>	<b>2,742</b>	<b>2)</b>

\* Including NA Police

The District Administration, then, absorbed most of the new personnel. Besides various categories of Native Commissioner, this section included

1. Rogers, Native Administration, p. 155.
2. Report of the Department of Native Affairs, 1937-38, p. 4.

all agricultural staff (including Black and White staff at Fort Cox) as well as engineers and works superintendents. The latter were responsible for building dams, roads and bridges, wells, boreholes and irrigation schemes. The establishment and supervision of contour banks, fences and dipping tanks were all part of the duties of the agricultural section. This section worked through a number of Black demonstrators and dip tank attendants in the hopes of extending areas of agricultural progress through a mixture of example and compulsion.

Once the settlement of Trust Land was begun, the Native Commissioners found that the allotment of land and residential sites constituted by far the greater part of their duties. While the chiefs and headmen in existing locations were expected to supervise the administration of land, various new regulations had been promulgated with the result that the NC controlled, also, the use of common grazing land, the erection of any public buildings and a variety of occupation disputes. He had also to hear grievances, attend quarterly meetings of chiefs and headmen, keep in touch with outlying districts and keep a watchful eye out for 'troublemakers.'<sup>1)</sup> Estates were administered by him, he dealt with pass issues and exemptions, chaired all local council meetings, supervised the collection of revenue, presided over the Native Commission Courts and administered the relevant provisions of the 1934 Workmen's Compensation Act.

The rationale behind the pattern of Trust tenure applied in newly bought land in the 'released' areas and in crown land vested in the Trust in 1936 was quite straightforward. The Trust set its face against individual ownership of the land from the start. The whole system of land segregation depended on the maintenance and development

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1. Report of the Department of Native Affairs, 1935-36, p. 27.

of the areas set aside for Black occupation and the responsibility for this was vested in the Trust. The essential requirements of this development - such as stock limitation - had proved, in existing locations by 1936, to be almost impossible to implement. Land was henceforward to be both the carrot and the whip. Actual ownership of land remained in the hands of the Trust. Where tribes were moved wholesale from one location to another they were to occupy Trust land on a communal basis, pay rent and be subject to certain conditions of tenure besides. Individual allotments were apportioned by the Native Commissioner, via the Headman, again on a conditional basis. The most important conditions related to the manner of cultivation of the allotment. If this did not satisfy the NC or comply with the anti-erosion methods laid down by him, the land was forfeited. While voluntary schemes such as "Betterment" (see p.112) attempted to remedy conditions in non Trust land, it was via the medium of tenure that the Trust hoped to fulfil its statutory obligations in the released areas.

The issues arising out of the administration of land in South Africa are (as Smit pointed out in 1936) mainly issues of policy and it is not proposed to discuss them here. What is important for the purposes of the present study is that in 1936 the Administration was presented with a narrowly defined policy structure within which it had to operate. There was a certain amount of land, which had, with a specific sum of money and a marginal staff increase, to be settled and administered along definitive lines of development. By 1944 administrative experience had exposed the major fallacies of the policy and it was from the administration rather than the Cabinet that the impetus for radical reform came in the shape of the 'New Reclamation Scheme' - an administrative plan which had major policy making implications. (See pp.108-128)

It was in those areas of administration over which the Native Affairs Department had less direct control, and where policy had yet to be defined, that Smit's impact as an administrator was greatest. In his foreword to the revised edition of Rogers's account of the Department, Gordon Mears, who succeeded Smit as Secretary in 1945, said "... the education of the Native and the administration of certain of the industrial and social laws conferring benefits upon him are not the function of the Department of Native Affairs."<sup>1)</sup> For the period during which Smit was in office, however, this was not strictly true. The Trust controlled the funds earmarked for expenditure on 'Native Education' (which will be fully discussed in Chapter III) and apportioned them annually between the various missions and the Provincial Education Departments. Actual control, therefore, was diffused, while policy varied from mission to mission and between the provinces. While educational policy became the subject of various official inquiries, actual policy had, by 1945, been shaped almost entirely by administrative action.

Native Administration in the urban areas was, like that of education, the subject of divided control. Ultimate authority lay in the hands of the Minister of Native Affairs, who in terms of the 1923 Natives (Urban Areas) Act, was required to approve location sites set aside by the urban local authority, as well as the proposed abolition of any locations. Rentals charged by the municipality for the occupation of land or houses were subject to the approval of the Minister who was also responsible for licensing location superintendents appointed by the local authorities. The purpose of the licensing clause was ostensibly to ensure "a satisfactory type of municipal officer for the adminis-

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1. Foreword by W.J.G. Mears, in Rogers, Native Administration.

tration of Native Affairs"<sup>1)</sup> but the evidence, by 1935, was that the position had, with some exceptions, become a sinecure for retired policemen or other municipal officials whose acquaintance with Native Affairs was slight and whose official performance was anything but "satisfactory" as far as the local residents were concerned.<sup>2)</sup>

The first year of Smit's office, 1934, coincided with the establishment of a system of monthly meetings between the various Reef managers and superintendents - the first step toward greater co-ordination in the administration of urban Native Affairs. In 1935, the first Departmental Inspector was at last appointed, in terms of the 1923 Act, to supervise municipal activities in the urban areas. Native Affairs officials, had, by 1940, become regular visitors at the Reef managers' meetings, for which they were sent both the agendas and the minutes.<sup>3)</sup>

The 1937 Native Laws Amendment Act seems to have been regarded by Smit as a mandate for increasing direct Departmental control in the urban areas. Curiously, the most important feature of the Act was that it established the principle of removal of 'redundant' Blacks from urban areas, by means of a two yearly census which would establish the labour requirements of each area, and the number of Blacks who were superfluous in this regard. It was certainly not this aspect of the legislation which moved Smit to describe it, in a later report, as "the fulfilment of the government's Native policy ...which so materially added to the Natives 1923 Act (sic) as to raise Native Administration in the urban areas to a position of prominence."<sup>4)</sup> The only

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1. Rogers, Native Administration, p. 174.
  2. A memo submitted to the Government Committee on Urban Areas (1935) by I. Bud Mbelle, a social worker and member of the Native Advisory Board in Pretoria, makes this quite plain. He pleads for superintendents who are "properly educated." (SAIRR Papers B9). This subject was also a favourite bone of contention among the Native Representatives in the Senate.
  3. Records of the Non-European Affairs Department, Johannesburg, No.18/6, Transcript by T.R.H. Davenport. (Hereinafter referred to as N.E.A.D. Transcript).
  4. Report of the Department of Native Affairs, 1937-38, p. 17.

actual census undertaken in terms of the Act was in 1938 and there is evidence that it was Smit as well as the war who intervened to prevent local authorities from solving their housing problems - and, incidentally, the farmers' labour problems - by means of the 1937 Act. (See p. 49) It was, after all, the NAD which had the responsibility for accomodating persons thus displaced, in the overcrowded rural areas.

There is no doubt whatever though, that at this stage in the development of the 1936-37 Native Policy, Smit was prepared and concerned to keep its administration strictly to the letter of the law. He wasted little time after the 1937 Act had been passed in preparing to achieve "... a closer degree of co-operation between the Department and the local authorities ..."<sup>1)</sup> On September 28 and 29 1937, a conference of all the local authorities was held in Pretoria. The conference, which had apparently been convened as a result of Departmental initiative - presumably, therefore, by Smit - included members of the Native Affairs Commission, was presided over by Smit himself and opened by General Smuts. The text of the Minister's speech had been drafted by Smit<sup>2)</sup> and its content made it clear that the NAD intended to make full use of the authority vested in it by the 1923 Natives (Urban Areas) Act, the 1930 Amendment and the later Native Laws Amendment Act. The census figures of 1921 and 1936 were extrapolated and compared in order to demonstrate to recalcitrant municipal authorities the dangers of the lethargic exercise of their powers of influx control. Only eleven local authorities in the Union had as yet "availed themselves of these powers" (in terms of the 1930 amendment.)<sup>3)</sup> The implication of these remarks was that the Department, in the event of this situation

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1. Ibid., p. 19.

2. Draft speech for the Conference, Smit Papers, 13/37.

3. Ibid.

continuing, would have to use its powers of compulsion in order to control the number of Blacks in urban areas.

The outcome of the conference was evidently satisfactory as far as Smit was concerned. Published in 1939, the NAD report for 1937-38 referred to the conference as " ... the most important Departmental step in urban Native Administration taken since the inception of the urban areas legislation."<sup>1)</sup> It went on to describe the expansion of the "normal work of urban native administration" in terms of increased co-operation between the Department and the ULA's. In terms of actual staff expansion, the NAD had appointed another two Inspectors for the Urban Areas who concerned themselves with conditions in the locations, Native Revenue Accounts and proposed housing schemes, for which a limited amount of NAD money was available for loans. In effect, the legislation of 1937 had increased the responsibilities of the NAD without actually increasing its direct control of administration in the urban areas, or substantially increasing the number of its personnel. It was the Department itself which had, by convening the 1937 conference and extending its contacts with local authorities, increased its de facto control in urban areas and achieved the "general acceptance of the Department's advice by the authorities concerned."

"Most gratifying," too, as far as Smit was concerned, was the discovery that many local authorities were prepared to meet deficits in their Native Revenue Accounts, which had been the subject of long contention, either by grants or interest free advances from general funds. By 1939, a staggering 205 urban areas had declared themselves in terms of the influx control provisions of the 1930 Act and it was with some satisfaction that Smit reported in that year

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1. Report of the Department of Native Affairs, p. 19.

... that local authorities generally are becoming more alive to their responsibilities and the Department is confident that the next few years will mark a radical change in the conditions under which Natives live in urban areas. 1)

In view of Smit's apparent volte face in the face of war time urban influx it would be as well to emphasize here that he supported the 1937 Act, like Hofmeyer, quite clearly because he saw it as an opportunity for increasing Departmental control in the urban areas and thereby ensuring, as he said, that local authorities would treat "their responsibilities" in a more serious light. The "radical change" which he envisaged in the urban areas, and which was almost certainly not of the nature of that which actually took place, was in the development of better housing and living conditions for urban Blacks. He himself ignored the removal provisions of the Act and actually took it upon himself, later, to instruct municipalities to do likewise.

His attitude to this legislation becomes clearer when it is contrasted with that of the Native Affairs Commission. The latter regarded the Act solely in the light of its complementary function in the segregation policy

Parliament decided that restrictive measures to prevent Natives from becoming urbanized should run concurrently with the development of the Native Reserves and passed the Native Laws Amendment Act of 1937. 2)

From Smit's (administrative) point of view then, the need for influx control was of paramount importance in order to be able to ensure improvements in the standards of Black urban living. Control was nevertheless the operative word and control was not a word which figured

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1. Report of the Department of Native Affairs, 1937-38, p. 22.
  2. Report of the Native Affairs Commission, 1939-40, UG 42-1941, p. 17.

in the vocabulary of 'liberalism'; thus it would appear that Professor Hoernlé might have mistaken his liberal tendencies.

The changes of the next few years were almost certainly not of a nature envisaged by most people in 1939. While the political vicissitudes of the war years marked the end of the co-operative basis on which the segregation policy had hitherto depended, it was administrative experience which exposed the lack of system behind it, and it was on these two rocks that the policy ultimately foundered. Historically, probably the greatest significance of the role of Smit and the NAD generally in the demise of segregation, is in the light which it throws on the 'apartheid' policy which replaced it in 1948.

## CHAPTER II

ADMINISTRATION OF POLICY DURING THE WAR YEARS

Though the legislature unanimously accepted the Native Policy ... there are many forces in the Union working for its demise.

Native Affairs Commission Report, 1939-40, UG 42-1941, p. 15.

The 1939 war vote saw General Smuts at the head of one of the most curiously ill-assorted cabinets in Union history. It consisted of mostly ageing imperialists and Boer War heroes as well as two sons of ex-Free State presidents, on all of whom the war and the frequent absences of the Prime Minister were to put a heavy burden. Notwithstanding the undoubted ability of Hofmeyer, and perhaps Sturrock, to cope with this extra load, the Administration and the Native Affairs Department in particular, found itself forced to carry an unprecedented amount of responsibility.

Smit, true to form, took these responsibilities very seriously indeed. Beyond the age of active service himself, he encouraged his staff to join the South African Forces, with the result that the Department's manpower was reduced by more than a third.<sup>1)</sup> A large part of this figure came from the agricultural field staff responsible for the maintenance and development of Trust land, and although Smit and his senior officials undertook to carry the work load of their servicemen colleagues,<sup>2)</sup> Departmental activities in this area were nevertheless drastically curtailed. Lack of finance was obviously one reason for the temporary halt in land purchasing under the Trust, but the staff shortage in the NAD clearly played the major part in this decision. Parliament continued to vote

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1. 309 out of 900 NAD officials were away on active service by 1943. (Senate Hansard, 21 January 1943, col. 304). This was a far higher proportion than any other government department and represented something of a departure from precedent in that Smit himself had not been released for service in 1914.
  2. This was an undertaking which he took very seriously. Gordon Mears recalls arriving at the office for work at about 9 a.m. and finding Smit there in his pyjamas, having been there since the early morning, getting in some work before breakfast - an apparently common occurrence.

money to the Trust but it was not used for land purchasing until after 1944. Smit had repeatedly asserted that it was Departmental policy to buy no land which it did not have the resources to administer properly. With field staff at about half strength, it was all the Department could do to maintain the existing Trust lands, let alone add new ones. One of the most constant themes in Black and White political opposition during this period was the government's decision to halt the buying of new Trust land and it was undoubtedly to Smit's enthusiasm for the Allied cause that this situation was in part attributable.

The new United Party government was one with which Smit felt far more at home than he had with its predecessor. From 1939 onwards he became increasingly outspoken, though not always in ways of which his superiors would have approved. At the end of 1939, he took it upon himself to write a sharp rebuke to W.G. Ballinger, who, in a reported interview with the Daily Dispatch had made some very pertinent remarks with regard to the futility of Black participation in the war effort. Ballinger was understandably surprised and annoyed by Smit's letter which he referred to as an "extraordinary communication to come from the head of a Department of State ... truculent in tone and decidedly dictatorial"<sup>1)</sup>. In the same way, however, Nationalists and UP's alike were surprised and annoyed by Smit's declaration in Pretoria, at the end of 1942, that segregation was "unworkable" and that no solution to the South African "racial problem" was to be found along the lines of further "repressive measures."<sup>2)</sup> A similar speech in Kingwilliamstown, in October 1942, drew the praise of ANC president A.B. Xuma, who added "no man's advice in South Africa can bring greater relief to Africans

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1. W.G. Ballinger, 21 December, 1939, Papers Bc 347 AB VI.  
2. Senate Hansard, 25 January 1943, col. 152.

than yourself."<sup>1)</sup> Despite the fact that the recommendations of the Smit Report (see p. 33) had already been published and that Smit's attitude towards various aspects of existing race legislation had become well known, this was the first time that he or any other Departmental head had made such a categorical anti-policy statement.

Smit's personal objectives as Secretary for Native Affairs became clearer at this point. While he was determined to put all his efforts into the 'development of the Native', particularly in education, he was also bent on doing this in an atmosphere of peaceful co-operation between White and Black and White and White. He continually stressed the need for co-operating and collaborating with the 'educated Native' and for drawing this 'class of Native' closely into the administration of Native Affairs rather than alienating it. Repressive legislation therefore, any restrictions which were not absolutely necessary for sound administration, were likely to invoke the censure of Black leaders and spike the administrative guns as well as creating unnecessary hardship. Provocative statements such as those made by Ballinger were deplored for the same reasons.

The rapid growth of industry during the war years, its incessant demands for labour and the hardships of rural poverty accelerated the Black migration to urban areas which the 1937 legislation had been concerned to prevent.<sup>2)</sup> While liberal thinkers were encouraged to hope that industrial integration and Black urbanization would pave the way for the disappearance of the social and political colour bar, the Native Affairs Department was forced to turn its attention from that

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1. A.B. Xuma to Smit, 31 October 1942, A.B. Xuma Papers, 421031 e.
  2. Between 1936 and 1946, Durban, Pretoria and Cape Town increased their Black population by over 100%, while the number of Blacks in Johannesburg rose from 229,000 to 387,000.

enforcement of the 1937 Act which had so effectively galvanized the municipalities into action in 1938, to the urban situation itself - to the cure, rather than the prevention of the ills which Black urbanization created. This was a new departure, and one in which a variety of motives among policy makers and administrators was discernible.

'Poor Blacks', unlike 'Poor Whites', was not a term in current use in South Africa before the outbreak of the Second World War. The word 'native', at least in terms of Hertzog's 'civilized labour' policy, was synonymous with lower living standards, consumer expectations and overall ability. While the 1932 Holloway Commission Report had uncovered the extent of poverty in the reserves and recommended immediate remedial action there along agricultural lines, it had also hinted strongly that non-action in this regard might eventually affect White living standards as well. The implication was that Black poverty was not in itself a matter for state concern except where it posed a threat to White 'civilization'. This was borne out in 1944, when Smit attempted to win the support of public (White) opinion for his expensive 'New Reclamation Scheme' by representing reserve poverty as a threat to the fertility of the rest of the country. (See p.118). The Holloway Commission warning that

to continue employing Natives in the urban areas but to treat them as if they should not be there is both illogical and short-sighted 1)

went unheeded until after the outbreak of war. It was the growing inability of the Reserves to support their rapidly increasing population which forced the attention of the state to focus on the economic condition of urban Blacks.

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1. Report of the Native Economic Commission, 1930-1932, UG 22-1932, para. 73.

Outwardly, the policy towards Blacks in the Union which it was Smit's job to administer, seemed, at least during the early stages of the war, to be of a far more flexible nature. The war saw the extension of state control in diverse fields of society and industry in most of the participant countries and South Africa was no exception. The creation of the Industrial and Agricultural Requirements Commission in 1939 and the activities of the Social and Economic Planning Council, which reported three times before the end of the war, made it clear that the structure of post war society and industry was much on government minds. Early in 1942, Smuts's famous speech to the South African Institute of Race Relations, which threw his party into the confusion from which it never recovered, seems to have acted as a green light for Smit. From that point on he not only took a bolder initiative in his administrative duties but also in his criticism of the legislation upon which they depended.

1942 was the high water mark of optimism for White opponents of the segregation system as well as for its Black victims. In that year, Deneys Reitz persuaded the Minister of Justice to instruct that enforcement of the Pass Laws in all the major centres of the Union<sup>1)</sup> be relaxed, the Smit Committee came out with its report and Smuts's remarks to the SAIRR appeared to herald a complete change of policy.<sup>2)</sup> Considered in

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1. Johannesburg, Witwatersrand, Durban, Pretoria, Pietermaritzburg, Kimberley and Bloemfontein.
  2. The substance of Smuts's speech was to the effect that segregation had "failed" and that it needed to be replaced with what he called "trusteeship". He talked of the "fear" of the White South African minority and said, quite definitely:  
 "Attempts have been made to get round this fear by the policy commonly called 'segregation' ... the policy of keeping Europeans and Africans completely apart for their own self preservation. We have tried to carry out this policy. Legislation giving effect to it has been placed on the statute book. But, I am afraid ... that there is very great disappointment at the results which has been achieved ... Isolation has gone and segregation has fallen on evil days too."  
 (Jean van der Poel (ed), Selections from the Smuts Papers, Cambridge University Press, 1973, Vol. VI, No. 556, p. 335).

isolation, however, these events lose a great deal of their significance as far as any implications they may have had in the realm of policy making was concerned. What they do demonstrate was the way in which the administration, led by Smit, was able to take advantage of the hiatus caused by the war in the implementation of the segregation policy in order to take some practical measures to alleviate its effects. They also highlight the need for effective collaboration between the policy makers and their administrators. Without actually resorting to legislative enactments the Native Affairs Department was able to circumvent some of the more unpopular segregation legislation, while the Inter-Departmental Committee which reported in 1942, recommended the enactment or repeal of various laws which would eventually have had a major effect on the policy as a whole.

In August 1942, the Inter-Departmental Committee on the Social, Health and Economic Conditions of Urban Natives was appointed under Smit's chairmanship.<sup>1)</sup> It seems that the initiative for the inquiry as well as a great deal of the evidence presented to it, came from the Institute of Race Relations and from Rheinallt-Jones in particular. He certainly claimed responsibility for the Committee, which actually seems to have been set up as a result of a memorandum written by him on "the possibilities of a socio-economic policy for the upliftment of the labouring classes of all races ..." which was sent to Smuts in the first half of 1941.<sup>2)</sup> The heads of Departments, whose task it was to investigate this enormous field, were required to do so in a non political capacity and the report which they finally issued bears the

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1. The Secretaries of the Departments of Health and Labour were also members of this Committee.
  2. Rheinallt-Jones to C.M. Jaffee, General Manager of South African Railways and Harbours, 13 September 1941, SAIRR Papers, B9.

strong stamp of Smit's ideas on it. There is evidence that Smit took a keen personal interest in the Committee's investigations and that most of the suggestions contained in the report came from him.<sup>1)</sup>

The Smit Report was also a tribute to the efforts of the Institute of Race Relations and other concerned "liberal" bodies who saw the appointment of the Committee as a chance to present their case which ought not to be missed. The SAIRR correspondence for September and October of 1941 shows quite clearly that the kind of evidence heard by the Committee during its five day hearing in Johannesburg was strongly coloured by the influence of these bodies.<sup>2)</sup> Even the General Manager of the South African Railways and Harbours was in communication with Rheinallt-Jones on the subject of evidence for the Committee.<sup>3)</sup> The Johannesburg Chamber of Commerce appointed a special sub-committee to study the issues raised by the Committee, and the comprehensive memorandum which the Chairman submitted to it was drawn up on the advice, again, of Rheinallt-Jones.<sup>4)</sup> An official Wits University circular, dated October 1941, stressed the importance of giving evidence to the Committee, along with representatives of the African Townships Commission and the Joint Council.<sup>5)</sup> Rheinallt-Jones wrote himself to Smit in September 1941, urging him to ensure that the questions of wages, housing, pensions and food prices were given due attention by the Committee.<sup>6)</sup> That Smit was in touch with the Native

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1. Information from Major F. Rodseth in a letter to the writer, 2 September 1977.
  2. The Committee's itinerary showed that it spent more time hearing evidence in Johannesburg than anywhere else. In October and November, 1941, it visited Johannesburg, Pretoria, Kimberley, Capetown, Port Elizabeth, East London, Bloemfontein, Durban and Pietermaritzburg.
  3. 13 September, 1941, SAIRR Papers, B9.
  4. Chamber of Commerce to Rheinallt-Jones, 2 October 1941, *ibid.*
  5. 2 October 1941, SAIRR Papers, B9.
  6. 25 September 1941, *ibid.*

Representatives is clear from a reassuring letter he wrote to Margaret Ballinger, also in September, explaining that the terms of reference of the Committee were designed to complement the activities of the Wage Board, and that the activities of the Board would not suffer from the Committee's appointment.<sup>1)</sup> The Native Representatives, thereafter, joined their evidence to that of the various institutions<sup>2)</sup>, and A.B. Xuma, on behalf of the ANC, submitted evidence to the Smit Committee early in October 1941<sup>3)</sup> at the same time as the Non-European Affairs Committee of the Rotary Club.<sup>4)</sup>

There is nothing to indicate that the influence of the Institute, the Native Representatives and the ANC spread in a similar fashion to the other centres listed on the Committee's itinerary. No evidence could be found, however, that Nationalist groups interested themselves in the Committee's work. Although the matter of procedure for giving evidence to the Committee was on the agenda of the September 1941 meeting of the Reef Location Managers and Superintendents<sup>5)</sup> none could be found of its actual content. The very terms of the Committee's reference and the kind of people and institutions in which it provoked interest and concern, make it a likely assumption that most of the evidence which it considered followed the pattern established in Johannesburg. So does the Report, which it issued in July, 1942.

The Smit Committee was "impressed above all by the poverty of the Native Community."<sup>6)</sup> It accepted the conservative p.d.l. estimate of

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1. 19 September 1941, *Ibid.*
  2. Undated Memorandum by E.H. Brookes on evidence to be placed before the Committee, Smit Papers, 14/42.
  3. Transcript of Evidence, 11 October 1941, Ballinger Papers, A410.
  4. Notification of intention to give evidence, 11 October 1941, SAIRR Papers, B9.
  5. Minutes of meeting of Reef Managers and Superintendents, 18 September 1941, N.E.A.D. Transcript.
  6. Report of the Inter-Departmental Committee on the Social, Health and Economic Conditions of Urban Natives, 1942, para. 7.

£7.14.6 per month arrived at by the Johannesburg Municipal Non-European Department which had surveyed the income and expenditure of some nine hundred Black families, but found that the average family income amounted to only about two thirds of this figure.<sup>1)</sup> Appalled by the amount of malnutrition it uncovered, the Committee asserted firmly that

it appears necessary to contravene the idea which still prevails in some quarters, that the basic requirements of non-Europeans differ from those of Europeans, 2)

and, like the Holloway Commission, hinted darkly that Black poverty might well be contagious:

The total economic loss due to sickness caused or aggravated by malnutrition and undernourishment may well be greater than the expenditure which would be necessary to prevent it by subsidizing the nutrition of the people concerned. 3)

Although Smit himself was quite genuinely concerned by the extent of Black poverty which the Committee found, he was clearly getting the measure of the South African electorate. The necessity to rest welfare measures partly on general economic considerations was revealed by the Native Farm Labour Committee, which reported in 1939. One of the major reasons advocated by White farmers for the prevailing shortage of Black labour was

That during times of drought and crop failure, the liberal or ill advised assistance rendered to Natives by the Government makes it unnecessary for them to seek employment. 4)

The Committee also reported that it had encountered a great deal of bitterness among urban Blacks. For the alleviation of the physical

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1. Ibid., paras 17-22.

2. Ibid., para 55.

3. Ibid., para 60.

4. Report of the Native Farm Labour Committee, 1937-39, para 9.

conditions it addressed itself to the provision of family allowances, sanitation and health services, cheaper and more plentiful housing, better social welfare and social worker services, cheaper transport and higher wages. These were all areas in which the Native Department could claim to have been working at least since 1934 and the main difficulties likely to be encountered in the implementation of such measures were the lack of cohesion between the Departments and Ministers concerned. An obstacle already encountered for instance, in the matter of cheaper housing, was the refusal of the Minister of Labour to alter the prevailing situation whereby Black houses were built with expensive White labour. Nevertheless, the suggestions for the physical improvement of urban conditions were moderate, sensible and possible. Where the Smit report stepped out of line was in those recommendations which had policy making implications - the redress of the bitterness amongst urban Blacks which had given the Committee cause for concern was not to be achieved by an impressive list of welfare measures. It attacked the Pass Laws as one of the major causes of resentment and misery and suggested that their abolition would be preferable to the existing situation. More significantly, perhaps, it also recommended that Black Trade Unions be given statutory recognition in all other occupations than that of mining.

The question of the Pass Laws was one which had been considered by a number of previous inquiries, most notably the Holloway Commission in 1932.<sup>1)</sup> None, though, had gone so far as to face the "abolition of the Pass laws". Nor, in fact, did the Smit Committee face this prospect with any kind of enthusiasm. While the Report has been

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1. UG 22-1932. The Smit Report's recommendations with regard to labour bureaux can be traced back to this report although the Godley Committee of 1920 had been the first to recommend the substitution of a sort of 'reference book'.

consistently interpreted to have recommended the abolition of these laws, it did not discard the principle of control in which these regulations were rooted. It was the existing state of affairs to which the abolition of the Pass Laws was to be preferred. Nor were all aspects of the existing situation to be discarded. Curfew regulations, for instance, were merely to be modified by shortening the hours of curfew. In industrial areas the registration of service contracts was to be continued, while the system, which, it was proposed, would replace the Pass Laws, consisted of a network of labour exchanges which would be set up on a voluntary basis in all urban centres. The enforcement of the Pass Laws was expensive in terms of Black co-operation as well as administration, and it seems that the changes advocated in the Smit Report stemmed as much from humane reasons as from an administrative realization that the costs of the segregation system as it then existed were far too high. Its recommendations certainly did not herald the radical change in policy to which they were fairly generally attributed and on which White Liberal and Black political optimism was allowed to capitalize.

As far as the Pass Laws were concerned, Smit, once his mind had been made up, began to do everything in his power to modify them. In February, 1942 Xuma approached Smit with a view to persuading him to arrange an interview between an ANC deputation and the Prime Minister. The deputation, which Xuma hoped would include members of the Natives Representatives Council ("our case is one"), was to present a petition to the Prime Minister on all the most burning issues of the day: Education, Welfare, Land, Trade Unions and the Pass Laws.<sup>1)</sup> Smit was unable to secure Smuts's presence at the meeting, but was able to

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1. A.B. Xuma Papers, 3 February 1942, 420202 a.

inform Xuma that Reitz, in his capacity as Deputy Prime Minister and Minister of Native Affairs would receive the delegation.<sup>1)</sup> The ANC contingent was cordially received by Reitz, who evidently promised to do what he could to meet their demands, while a letter from Smit to Xuma in March assured him that every consideration was being given to the petition and the demands of the delegation.<sup>2)</sup>

The deputation, Smit's persuasive influence and the alarming increase in the number of Pass Law offenders<sup>3)</sup> saw Reitz, in the Senate, declaring that "nothing is so conducive to irritation, to bad feeling, to hatred, to disturbance of race relations between White and Black than the pass laws ..."<sup>4)</sup> He went on to say that he and Smit had been evolving plans for the reduction of these ills for some time, and that he proposed to approach Steyn, the Minister of Justice, on the subject. Smit's efforts were rewarded in May, when instructions were accordingly issued to police in various centres that Pass Law offenders were not to be arrested unless a more serious crime was suspected. Later that month, Smit wrote to Xuma, asking him to suspend judgement on this action until its results became apparent.<sup>5)</sup> Xuma replied that he was grateful for action taken on two of his deputation's demands (teachers' salaries had also been raised), but that the question of the statutory recognition of Trade Unions had not yet been considered. Smit, fresh from the writing of the Committee Report, in which its recommendations on that subject had been made abundantly clear, was able to inform him, early in June, that Reitz hoped to be able to make a statement on this

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1. 13 February 1942, Ibid., 420213 b.

2. 18 March 1942, Ibid., 420318 a.

3. In the Transvaal, between 1939-41, the number had reached 297,695. (Senate Hansard, 26 March 1942, Col. 1583).

4. Ibid., 1582.

5. 30 May 1942, A.B. Xuma Papers 420530 c.

matter fairly soon. He also wrote personally to the South African Railways on the matter of the delegation's request for better treatment and catering for Black passengers and this, too, he assured Xuma, was receiving favourable consideration.<sup>1)</sup>

Smit was clearly extending himself to the limits of his official licence and in Reitz, like Hofmeyer, he had a Minister whose ideas were gratifyingly similar to his own. The Minister's handling of the deputation, the action which followed it and the constant communication between the ANC President and the Secretary for Native Affairs on the subjects it had raised, did a great deal, in Xuma's words to "increase confidence in the government."<sup>2)</sup> The combination of Smit, the ANC and Reitz was not enough, however, to effect any statutory change in the Pass Laws. The 1943 election was looming and Reitz was sent off to London as High Commissioner shortly after these events. It seems clear that his replacement by Major Piet van der Byl was intended as a gesture to the electorate. "Politics", according to Smuts was "an unpleasant business, with all its racial taints and bitterness and extreme partisanship ..." and Reitz "was getting stale here and out of touch with our tiresome public life."<sup>3)</sup> If this assessment was based on Reitz's recent performance, then it was Smit as much as Reitz who was "out of touch".

Van der Byl was a farmer and a faithful segregationist along the lines of 1936. He confessed, in his autobiography, that Native Affairs was the only political field of which he knew absolutely nothing and

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1. 4 June 1942, Ibid., 42064.

2. Xuma to Smit, 1 June 1942, Ibid., 420611a.

3. Smuts to M.C. Gillet, 31 February 1942, Smuts Papers, vol. 69, no.262.

that all he came to know of his Department he learnt from Douglas Smit.<sup>1)</sup> If Smuts had decided that the Native Affairs Department was getting a little out of hand, then he ought to have chosen a more forceful personality than Van der Byl as Minister. It was Smit's influence which continued to dominate the Department.

By 1944, the Anti Pass Campaign which the ANC mounted in that year spoke volumes for the "confidence" in the government of which Xuma had spoken in 1942. Even had moderate Black opinion retained any of this feeling, the pressure of the ANC Youth League, recently formed and which had never shared any such confidence, ensured that it was not allowed to get in the way of positive action. In 1946 the instructions to the police with regard to the Pass Laws were officially withdrawn, although Smit had managed to persuade Van der Byl to maintain them even after the report of the Elliot Committee in 1943 had recommended that enforcement be reinstated in order to prevent the breakdown of the system of influx control.<sup>2)</sup>

The recommendation in the Smit Report, in fact, based as it was on the evidence of the more 'liberal' section of academic, commercial, charitable and industrial institutions, and on the hope that the removal of some of the irksome restrictions created by the segregation policy would pave the way for a more co-operative spirit between White and Black in the towns and hence smooth the path of administration there, turned out to have rather negative results. It was all very well for industrialists to recommend the abolition of the Pass Laws, but it did not suit the requirements of either the mining or the farming industries. In the event, Black political optimism was allowed to capitalize

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1. Pieter Voltelyn Graham van der Byl, Top Hat to Velskoen, (Cape Town: Timmins, 1973), p. 214.
  2. The Elliot Committee on Crime on the Witwatersrand and in Pretoria (1943) had been appointed as a result of an unprecedented crime wave in these areas.

on a series of isolated and ultimately insignificant events, while Nationalist pressure, economic needs, UP divisions and electoral needs resulted in a strengthening rather than a reduction of legislative controls. The result was that after 1943, accommodation between the government and Black political movements became increasingly impossible of achievement.

The other contentious recommendation in the Smit Report, that Trade Unions for Black workers be accorded statutory recognition, had even less hope of achievement. There was far less scope for administrative action in this regard, and even if there had been, Xuma had made it clear that nothing short of an amendment of the Industrial Conciliation Act would satisfy Congress.<sup>1)</sup> The number of NRC members who were also Congress officials, and who joined the spearhead of the later pass campaign (see p. 93) makes it a likely assumption that the Council, too, would be satisfied with nothing less than legislation. What administrative action was available in this sphere, was out of Smit's hands.

At the end of 1941, the various, unofficial Black Trade Unions had joined together to form the Council of Non European Trade Unions - an act which was followed with sinister speed by a proclamation in January 1942 which imposed criminal sanctions on any Black strikes.<sup>2)</sup> Despite this severity, a number of strikes later on in the year <sup>were</sup> settled by means of negotiations between the employer and the Trade Unions concerned. Workers on the mines had, also in 1941, established the African Mineworkers Union, most of the initiative for which had come from the ANC. Industrial unrest in 1942 led to the appointment of

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1. Xuma to Smit, 3 June 1942, A.B. Xuma Papers, 420603 a.  
2. This was War Measure 145, January, 1942.

the Lansdown Commission, which inquired into the wages and conditions of employment of Black mineworkers, the "economic requirements of Natives", their sources of income and the effect of increasing wages upon the gold mining industry and the South African economy. Like the Smit Committee, this Commission approved the recognition of all Black Trade Unions other than mine unions, and for much the same reasons.<sup>1)</sup> The reduction of the Pass Laws had encountered a great deal of opposition in various forms,<sup>2)</sup> but the recognition of Black Trade Unions was implacably opposed by the Minister, the Labour Party itself, and the TLC. The kind of administrative and political pressure which had been brought to bear on Reitz and subsequently on Steyn, with regard to the Pass Laws, was up against odds as far as the recognition of Black Trade Unions was concerned.

In January, 1943, Edgar Brookes moved in the Senate that the Smit Report be recommended to the "sympathetic consideration of the government."<sup>3)</sup> This was a motion which Van der Byl felt compelled to reject - on the grounds that the words "sympathetic consideration" might be taken to mean that the government "intends implementing the whole of this Report."<sup>4)</sup> While he did not specify exactly which portions were to be rejected, he went on to enumerate the list of improvements which had been made in the sphere of Native Welfare and Education and pointed to the action which had already been taken in regard to the Pass Laws. It must have been a rather bewildered Van der Byl who faced a barrage of criticism at his first appearance in the Senate in his new capacity.

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1. Apart from the reiteration of the idea that mineworkers were 'raw', easily influenced and 'not ready' for unionization, the underlying theme of both reports seems to be the firm conviction that gold was the bastion of the S.A. economy and therefore not to be jeopardized.
  2. The Pretoria Municipality had, in fact, asked that reinforcement be reinstated and the Transvaal Agricultural Congress had submitted a memorandum to the government asking that the Pass Laws be left as they were. (17 August 1944, Smit Papers, 3/44).
  3. Senate Hansard, 20 January 1943, col. 64.
  4. Ibid, 1 January 1943, col. 291.

At a pre-session caucus meeting he had apparently asked Smuts whether, in view of the Prime Minister's remarks to the SAIRR in 1942 and the tone of the Smit Report, he was to continue to carry out the 1936 policy or to introduce amending legislation - the latter allegedly eliciting an unequivocal "out of the question" from Smuts.<sup>1)</sup> At the same session, he was not only confronted with Brookes's motion, but attacked from the Nationalist benches on his troublesome Secretary for Native Affairs. Not only was Smit responsible for the Committee Report, but he had also publicly rejected segregation - he said, in fact, "we shall never reach the standard at which we are aiming unless we abolish all colour bars."<sup>2)</sup>

From Smit's point of view, the new Minister was a disaster. Smuts had got rid of Reitz because he was out of tune with South African politics. If Van der Byl struck no discordant notes then it was Smuts's own speech in 1942 which had been out of key, and by 1943, with an election imminent, it seems as if he had already rewritten the score. In view of the theme of Smuts's 1929 Oxford lectures and his subsequent electoral reiterations in 1947 and 1948, far too much weight seems to have been given his public statement in 1942. Segregation, as it was then applied, had indeed "fallen on evil days" but while men like Smit continued to believe that this proliferation of urban Blacks and industrial dilution spelt the end of any kind of separation, others, including the United Party hierarchy, starting working out ways and means of using it to the advantage of the system. Smuts's habit of telling his audience what he thought it wanted to hear, in this instance had the worst possible effect.<sup>3)</sup>

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1. Van der Byl, Tophat to Velskoen, p. 216. He also refers to Smuts's speech as "an unwise remark" - a sentiment which seems to have had the support of the majority of his party.
  2. Senate Hansard, 21 January 1942, col. 151.
  3. Van der Byl, presumably in the light of Smuts's attitude in the caucus in 1943, was moved to make the following pronouncement: "It was a weakness in Smuts's profound and strong character, at times, to say things he thought his audience wanted to hear, as he did that night in the Town Hall" (Top Hat to Velskoen, p. 216).

An interesting example of Smuts's tendency to cater for audience consumption is to be found in the alterations which he made to a memorandum drafted by Smit for publication overseas, in connection with the move to incorporate the Protectorates. The memorandum, on 'Native Policy of the Government of the Union of South Africa'<sup>1)</sup>, is liberally sprinkled with alterations by Smuts. Where Smit explained the 1923 Urban Areas legislation by saying that towns were White areas in which Blacks were allowed only in terms of 'European requirements', Smuts changed the picture to one of 'separation' in towns and the regulation of influx to "beyond the limits of their absorptive capacity." Smit's statement that the "problem of urbanized natives threatens the whole principle of segregation" was simply crossed out. His explanation of the 1937 Native Laws Amendment Act in terms, again, of White labour requirements, was crossed out, as was a whole section referring to the restriction of Black rights to purchase land in the Urban Areas. Smuts also crossed out most of the remarks relating to the removal of "surplus" Blacks. The effect of his amendments to Smit's explanations of both the 1923 and the 1937 urban areas legislation was to make it appear that both Acts were undertaken solely in Black interests. Like Humpty Dumpty, Smuts was an adroit manipulator of words.

Although it seemed, by 1944, that the recommendations of the Smit Committee were going the way of similar Commissions whose recommendations conflicted with the White electoral spirit, Smit himself was still optimistic. In April, he wrote that "I am pleased to say that the 'Smit' Report has resulted in considerable improvement in the lot of the urban Native in several ways ..."<sup>2)</sup>

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1. 7 February 1938, Smit Papers, 6/38.

2. Smit to Dr. Hertslet, 18 April 1944, SAIRR Papers B9.

and went on to list what he considered to be the most important of these: The decision of the government to pay Old Age pensions and disability allowances to Blacks; the tendency to increase wages apart from official wage determinations; municipal distribution of fruit, vegetables and milk; the establishment of health and nursing services; extended training facilities for nurses; better housing; municipal interest in social work; the appointment of the Pretoria Bus Commission, which might have good results in the field of cheap transport. It was the list which, garnished with facts and figures and spiced by the personal appearances of various officials, was presented year after year to the Natives Representative Council; it was the list which made periodic appearances in overseas publications and it was the list with which Smit armed himself when he went to London in 1945 and had several interviews with colonial officials there. It was, of course, embellished with the progress made in education since 1939 and with the achievements of the South African Native Trust. Coupled with the record of the Council system and the unofficial activities of the advisory boards, it made its appearance in every official statement which emanated from the NAD and the government during this period. Of actual 'policy' these statements contained very little. The state, in effect, was represented as a vast charitable institution, whose benevolence as far as its indigenous and indigent 'ward' was concerned, was unlimited.

Towards the end of 1944 Smit announced his plans to retire the following year. He had turned down various other invitations in favour of membership of the Native Affairs Commission, on which a vacancy would then be due. His interests were still very much with Native Affairs, with whose 'development' he was as concerned as he was to prevent any kind of political confrontation in South Africa. In March, 1944 he founded the vernacular paper News of the War through which South African

Blacks could get the "true" picture of what was happening in the rest of the world rather than the distorted versions which he believed to come from the other journals. The editor of the paper was Frank Brownlee, an ex magistrate, who was given an office at Native Affairs Headquarters, in Pretoria. Smit was evidently alarmed at the gathering momentum of organized Black opposition, and it was in this way - as a sort of self constituted censorship board, that he hoped to counteract some of the effects of statements such as that for which he had reproved Ballinger in 1939.

In 1937 Smit had chaired the Commission which inquired into the Vereeniging Location Riots, in which several policemen had died. Although this Commission had found no evidence of "Communitistic activities" there seemed to be an exaggerated disposition on the part of the Administration to attribute disturbances of this nature to revolutionary influences. Lack of adequate housing was one of the main reasons behind the various urban disturbances of the war years, and this was an aspect of Native Affairs over which Smit had very little control. Under the 1923 Natives (Urban Areas) Act (as amended in 1930 and 1937), some four hundred and seventy urban Local Authorities were responsible for the "housing, welfare and control of the Natives resident within their respective areas."<sup>1)</sup> The Native Affairs Department had certain supervisory functions, which were largely exercised through three Inspectors of Urban Areas. This not very impressive number was further reduced by the "exigencies of war"<sup>2)</sup>, which meant, in fact, that for the duration of the war, departmental supervision in urban areas was perfunctory.

Sub-economic housing for Whites had been introduced in the Union

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1. Memorandum on Policy and Activities of the Native Affairs Department, 1942, p. 8.
  2. Ibid., p. 9.

in the early thirties, and was belatedly extended to Blacks during the war. Under the new scheme, the government made loans available to the Local Authorities for building sub-economic houses whose rentals were fixed by the Central Housing Board.<sup>1)</sup> These houses were built in separate Black townships often some distance from the centres of employment and many people were reluctant to move into them. Even the low rentals fixed by the Board were higher than wages allowed and a great many people couldn't afford to live in the houses and pay transport costs.<sup>2)</sup> During the war, the shortage of building material and skilled artisans became acute and riots and squatter movements intensified. The two main squatter movements took place in 1944 and 1946, both in the Johannesburg municipal area. The shortage of housing also helped thwart the attempts to reduce the Pass Laws.

It seems that this was an area where co-ordination was desperately needed, and for that reason, both the Fagan Commission Reports recommended that housing become the responsibility of a government sub-department under the Department of Native Affairs. Although Smit interested himself in the problem during the war, there was very little he could do about it.

In 1945, Smit was asked by Smuts to accompany the Union delegation to the United Nations Conference at San Francisco later that year. In April, he was asked by E.J. Phelan, acting director of the International Labour Organization in Montreal, if he would allow his name to be submitted for nomination to the Committee for Social Policy in dependent territories.<sup>3)</sup> He made it clear that Smit would serve this Committee

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1. Ibid., p. 10.

2. Report of the Commission appointed to inquire into the disturbances of 30 August 1947 at the Moroka emergency camp, Johannesburg.

3. 23 April 1945, Smit Papers, 64/45.

in a private capacity rather than as a representative of his government. The Committee was to be established on the grounds that labour had become dependent on social policy and Smit agreed to the nomination proposal.

In May, Smit was in San Francisco where he represented South Africa on the Committee of Trusteeships. He had always taken an active interest in the question of the incorporation of the Protectorates, and was keen that the mandated territory of South West Africa would eventually be incorporated into the Union, and, before he left, had made a study of the League mandate system and the problem of dependence. He was impressed by the lack of racial differentiation in San Francisco and wrote rather wistfully to his wife: "I wish some of the people in South Africa who have colour prejudices could see what is really happening in the rest of the world."<sup>1)</sup> Most of the 'rest of the world', however, did not share South Africa's enthusiasm for the incorporation of her mandated territory. Nor did they share her objection to the international supervision of such territories. Smit and Smuts were virtually the sole representatives of this position and were forced to submit to the general consensus in favour of Trusteeship and supervision. Before he left San Francisco for London, where his daughter was to undergo a major operation, Smit had his membership of the ILO committee confirmed.

During Smit's absence from South Africa in 1945 his correspondence with Gordon Mears provides the measure of his concern with the South African racial situation as well as his enormous capacity for hard work.

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1. 29 April 1945, Ibid., 69/45.

He also wrote punctiliously to his wife, sometimes twice a day. From America, while busy all day at the Conference, he wrote to Mears of an interview he had had with a South African Zulu, Nsomi, who had emigrated to the USA in 1941. He emphasized that Negroes in the USA were far better off than South African Blacks. Not only did they enjoy citizenship rights, but (and he stressed this as it was more feasible in the South African context), Trade Union rights.<sup>1)</sup> He investigated various aspects of the 'colour problem' in America, including the labour influx to the urban areas which had resulted from the war. The housing estates which had been designed to meet this influx particularly impressed him, but they were non-racial, and of course "we could not contemplate any such arrangement in South Africa."<sup>2)</sup> At this point, it seems likely that Smit was basing this conclusion on his knowledge of the Union electorate rather than on any beliefs which he might have shared with the majority of it.

At the same time, he was concerned to present Native Administration in South Africa in the best possible light, and to this end requested that Mears should send copies of the latest NAD Report to him for distribution among various interested parties on the ground that it would make "good propaganda." From London he reported interviews with Sir Alan Burns, Governor of the Gold Coast whom he was able to impress with his 'list' despite Burns's well known opposition to South African policies. He also interviewed Lord Nuffield and E.W. Smith, editor of Africa.

In a more inquisitive spirit, he discarded his list and made extensive notes of interviews with Margaret Read (Head of the Colonial

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1. 2 June 1945, Smit Papers, 126/45.  
 2. Smit to Mears, 5 June 1945, *Ibid.*, 130/45.

Department of the Institute of Education at London University), D.S. Miller (Director of Education for Basutoland) and various colonial officials from whom he sought information on developments in the colonies. His notes, which were all sent to Mears, van der Byl and Hofmeyer, reveal that his main interest was in education. They also contained a good deal of information on the subject of Trade Unions, the recognition of which for South African Blacks he was still hoping to promote. His experiences of the political vicissitudes of the government in 1942-3, in the field of Native Affairs moved him to the highest praise of the British Colonial Development and Welfare Act, of which he wrote to Van der Byl in August. Smit had himself suggested a similar step in 1944, when the proposals for the rehabilitation of the Reserves were mooted, but had not been able to get Treasury support.

Unfortunately one is never sure in South Africa of continuity of policy in Native Development and it seems desirable to avoid ... sporadic enterprises, unco-ordinated and leading to nothing. 1)

Smit was obviously disillusioned by the sound and fury which had seemed to augur so well for 'Native Development' in the early war years and which had signified nothing more than the realization that the system of controls in the existing segregation system were in need of careful revision.

At home, the government was coming under fire on the labour front. The ANC anti pass campaign was also in full swing, while strikes and squatter movements were intermittent. Not surprisingly, it was the 'liberal' criticism which was most resented and Van der Byl therefore asked Smit to find out about the British government's post war plans for manpower control in order that he might publicly compare them

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1. Smit to Van der Byl, 23 August, 1945, Smit Papers, 175/45.

with the South African situation, to the advantage of the latter.

The White Paper sent him by Smit declared that

In the manpower sphere the aim must be, while seeking to mitigate the severity of the existing labour controls and while paying such regard as is possible to the natural desires of workers to seek work where they please and of employers to engage labour freely, to ensure that the available resources of manpower are employed in the places where, and on the tasks in which they are most needed 1)

a statement which Van der Byl was able to use to full effect by pointing out that Blacks in South Africa were at least free to sell their labour where they pleased. Despite the obvious fallacies of this position, it was not until Smuts declared that the government had fully implemented the provisions of the Lansdown Report that he incurred the full wrath of opposition.<sup>2)</sup> The Mine Wages Commission had recommended increases amounting to a total of £2,642,000 per year. In May 1945, the government, after due consideration of the Report, decided on increases which amounted to a total extra amount of £1,850,000 - half of the recommended increase.<sup>3)</sup> The strikes of August 1946, followed by the adjournment of the NRC and the advice of the Trades and Labour Council<sup>4)</sup>, brought the matter to a head and it was in that context that serious consideration was at last given to the cautious Trades Union legislation with which the NRC was presented in May 1947 (see p. 105).

In spite of municipal autonomy in the urban areas, Smit had steadily promoted closer co-operation between the Department and the UIA's, particularly on the Witwatersrand, which he was able to use with

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1. Smit Papers, 175/45.
  2. Especially that of the Native Representatives. See letters from Ballinger and Basner to Smuts, Smuts Papers, vol. 78, no's 31-34.
  3. Wages of underground and surface workers were increased to 5d and 4d per shift respectively and overtime on Sundays was to be paid at time and a half.
  4. The TLC advised Smuts to withdraw the anti-strike legislation.

considerable effect after the outbreak of war. He was guest speaker at a meeting of Reef Managers and Superintendents in 1941, at which he urged leniency in influx control enforcement. He referred specifically to Section 16 of the 1937 Native Laws Amendment Act (which provided for the removal of "surplus" Blacks) asserting that it was administratively impossible to carry out. He maintained that 'urbanized' and 'detrribalized Natives' were totally unsuitable for settlement on the land and that there was, in any case, not enough land for this purpose.<sup>1)</sup> In March, 1942 Smit followed up these remarks by an official circular letter in which municipal authorities were urged to "hold in abeyance" those aspects of the urban areas legislation "as may be deemed not wholly essential to the establishment and maintenance of good order."<sup>2)</sup> Although the association of Reef Managers had opposed the Pass Law moratorium initiated by Smit<sup>3)</sup> it seemed quite prepared to "promise assistance" by way of non action in the matter of removing its 'redundant' Black residents<sup>4)</sup> and it was not until 1948 that this provision of the 1937 Act was again taken seriously by the Administration.

By December 1945 Smit had returned from Paris and was busy touring Natal with the Native Affairs Commission. He confessed to his wife that he had found it "hard to adjust his views to those of some of the workers' delegates"<sup>5)</sup>, and resigned his position on the ILO Committee in August the following year on the plea of hard work. The latter was quite justified as he was, in addition to being Native Affairs Commissioner, a member of a number of other bodies, including

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1. Minutes of a meeting of Reef Managers and Superintendents, 18 September, 1941. N.E.A.D. Transcript.
  2. Circular Letter No. 11/313, contained in the minutes of a meeting of the above, 26 March 1942.
  3. In May 1941, every ULA received a letter from Smit asking its views on enforcement of the Pass Laws. The Association of Reef Managers decided that there should not, at the present time, be any relaxation of Pass Law restrictions. (Ibid., 15 May 1941).
  4. Ibid., 26 March 1942.
  5. To Mrs Smit from Paris, 6 October 1945, Smit Papers, 26/45.

the Union Advisory Council on Native Education. In 1946 he was awarded an honorary doctorate from Wits at the instigation of its principal, H.G. Raikes. Smit had been largely responsible for obtaining the admission of Black students to the University's Medical School, for finding the funds to build a Black Student's Hostel and for establishing a number of Departmental bursaries for Black medical students.

In August 1946, Smit was chairman of the Committee which investigated the riots at Lovedale Mission School. There had been a spate of such riots in the past few years and the Committee, in the prevailing atmosphere of industrial and political unrest, completely exonerated the school authorities from any culpability in the riots. It found, instead, that outside influences, the lack of suitable employment avenues and the repressive legislation in South Africa were responsible. By this time, Smit, despite the hard line which he was officially taking on the activities of the NRC, was ready to put the blame for most of the unrest in the country on "repressive legislation." His close association with most of this legislation in his capacity as Secretary for Native Affairs had been a rapid disillusionment and he was moving increasingly towards the more conventional 'liberal' position. After five months spent touring Natal, the Transkei and Ciskei with the NAC in 1947, Smit returned to East London where he and his wife had bought a house. Both their sons had trained for professions and both, by this time, were married. In 1948 Smit campaigned, at Smuts's instigation, for East London City, and took his seat on the Opposition benches in that year.

So far as the wartime physical and political upheavals in urban areas were concerned, Smit, despite the Inter Departmental Report, had been able to do very little. The NAD's hands and attentions were

largely tied up in the Reserves, and it was running at less than two thirds of its normal staff complement. For his unselfish attitude in releasing staff and his willingness to shoulder an enormous work load, Smit was consistently praised. It meant, though, that the efficiency of the Department was also reduced by a third and that its supervisory activities in the towns were suspended along with the purchase of new Trust land. At a time when Blacks were taking the brunt of wartime economies, when the urban areas were carrying unprecedented numbers of people and when the policy of segregation was being threatened from all sides, the Department would undoubtedly have better served its political masters had it been at maximum strength.



## CHAPTER III

TOWARDS AN EDUCATION POLICY

Smit's greatest interest and concern, while head of the Department of Native Affairs and afterwards, was in the development of 'Native Education'. Its content and structure were controlled by the four Provincial Education Departments and by those missions which had not yet opted for registration, but it was officially financed out of a proportion of the Native Tax revenue together with a fixed government grant. In theory, allocation of these funds was in the hands of the Minister of Native Affairs, who was advised by the Native Affairs Commission. In practice, however, at least after Smit took over the Department, money for Black education was allotted almost solely at the discretion of the Secretary and of the NAC. In the early post Union days, interest in Black education centred largely on its content. By 1921 it was becoming apparent that this was a problem which could be solved most efficiently under a centralized administration. In 1935, with the formula for a centralized, bi-partisan 'Native Policy' on the cards, the appointment of the Welsh Committee heralded the entry of the policy makers into the education debate, the nature of which provides one of the clearest single indications of the shades of contemporary opinion on race relations.

At the time of Union, all education other than higher education was left in the hands of the provinces. The Cape, and to a far lesser extent, Natal, were the only provinces at this time which subsidized Black education in any way.<sup>1)</sup> The vast majority of schools were mission controlled and mission financed, and although the Cape government

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1. The Cape on a £ for £ basis; Natal from a small annual grant, unevenly and erratically distributed. (P.W. Cook, "Non-European Education," in Handbook on Race Relations, ed. by E. Hellman, (Oxford University Press, 1949), p. 364.

schools were officially colour blind, in practice their pupils were all White, while those of the mission schools tended to be almost exclusively Black. A provisional period of five years had been estimated for provincial control of education in 1909, but it was not until twelve years after that that any kind of government action was taken.

No discrimination was made in 1909 between the administration of White and Black schooling. Within a few years, however, each province, with the exception of the Transvaal which followed suit later, had found it expedient to appoint a Chief Inspector for Native Education on whose shoulders most of the responsibility for Black education came to rest. Between 1910 and 1922, Native Education was financed entirely from provincial revenue funds without any kind of government subsidy.<sup>1)</sup> Expenditure took the form of grants-in-aid to various mission schools, mainly for building purposes and for the payment of teachers' salaries. After this, the schools were officially registered as 'aided' and subject to irregular and usually perfunctory inspections by the province.<sup>2)</sup>

Natal was the only province in which the Education Department established separate government primary schools for Black children. In the other provinces schools for Blacks were either state aided mission schools or entirely mission controlled and financed.<sup>3)</sup> A number of factors, however, ensured that some sort of differentiation was practiced by the provinces: the appointment of separate Inspectors, the disparity between the amounts of money spent on Black and White Education and the adoption of differential primary school courses

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1. Memorandum on Policy and Activities of the Native Affairs Department, 1942.
  2. C.T. Loram, The Education of the South African Native, (Cape Town: Longmans, Green 1917) gives some examples of the kinds of tests administered to a random selection of pupils by the Inspectors - who often visited two or more schools in one day.
  3. Report of the Inter Departmental Committee on Education, UG 29-1936, para. 176 (Hereinafter referred to as the Welsh Committee).

for Black pupils.

Editorials, letters and articles by various people involved in the teaching of Black children, which appeared in issues of South African Outlook<sup>1)</sup> during the first two decades of the century help to isolate the kinds of opinion on 'differentiation' and what sorts of forms that 'differentiation' should take. A point on which educationalists of all shades were agreed, and at a time when educational policy all over colonial Africa aimed at at least a year and usually more of vernacular teaching, was that the medium of instruction for the initial period of a child's schooling should be a familiar one. As early as 1903, the editors of the magazine were questioning the value of "Western" education for Blacks and calling for a Commission to investigate all aspects of Native Education in South Africa.<sup>2)</sup> In 1908 similar sentiments were expressed in a letter from a Black schoolteacher<sup>3)</sup>, and by 1919 an editorial claimed that the existing system of education for Blacks had the effect of detaching education to the extent that "native children tend to look on school as something unconnected with real life."<sup>4)</sup> The need for differentiation seemed to be widely acknowledged - but of a kind which better suited the needs of those being educated and which was a necessary part of the inexorable process of acculturation.

The "Proceedings of a Conference of delegates from School Committees in the Orange River Colony" in 1906 provide a fair index of the kinds of ideas held by the White man-in-the-street on Native Education. At

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1. All the following references to issues of Outlook are taken from F. Wilson & D. Perrot (eds), Outlook on a Century, (Lovedale - Sprucas, 1973).
  2. *Ibid.*, p. 191-93.
  3. *Ibid.*, November 1908, p. 201.
  4. *Ibid.*, July 1919, p. 206.

the time of the Conference the Orange River Colony paid a total of £1,700 in the form of grants-in-aid to mission schools with a total enrolment of 10,000.<sup>1)</sup> Delegates to the Conference included a Dominee, a magistrate and a farmer, the last of whom voiced one of the stock arguments with which any proposal to increase expenditure on Black education was greeted. He proposed "that until reasonable facilities for elementary education have been provided for all the white children of the colony, no further provision be made for native children." The magistrate endorsed this with the observation that the effect of education on 'the Native' was to produce criminals, while the dominee proposed that all Natives be taught to read their Bible, write and do a little arithmetic "and all those who don't want to submit to quit the country within a certain time..." The ever present fear of the South African White farmer was also voiced: "as soon as the native has got a certain amount of education he runs into the towns and will not work on the farms," as well as the additional warcry against the 'educated native': that education breeds a dislike of manual labour. Indeed, with Black teachers quoting Pestalozzi and pleading somewhat confusedly for a reorientation in Native Education in 1908, the wherewithal for the later justification of differentiation was easily provided:

The aim of education is throughout concrete, i.e. education must take into account the conditions of life from which the child springs and in the midst of which the child will in all probability spend his whole life. 2)

The total amount contributed by the various provinces to Native Education had reached £340,000 by 1922. By far the major share of

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1. Ibid., Editorial, November 1900, p.195.  
2. Ibid., August 1908, p. 201.

this was the Cape's. The Orange Free State spent £5,000 on Native Education, the Transvaal £46,000, Natal £49,000 and the Cape £240,000.<sup>1)</sup> In this same year that the Phelps-Stokes Commission reported its findings on the state of Black education in South Africa, the Union government decided to take a hand in controlling its finance. In 1921 the Transvaal had attempted to impose a direct tax on its Black residents on the plea that "its increasing expenditure on Native Education justified such a course."<sup>2)</sup> The whole situation was consequently reviewed at the end of that year by the Financial Relations Conference and the Financial Relations Fourth Extension Act no 5 of 1922 followed soon afterwards. This Act prohibited Provincial Councils from imposing direct taxation on the "persons, land, habitations or incomes of Natives" and fixed the minimum expenditure by each province as the amount spent by each in 1921-2. In addition, between 1922 and 1925, the government contributed an average of more than £4,000 per annum per province.<sup>3)</sup>

Although Malherbe sees the 1922 Act as the effective end of the principle of development (i.e. basing estimates on what had been spent in the past rather than what would be needed in the future),<sup>4)</sup> this was not really the case. In 1923, for instance, the government spent £10,000 on Native Education in the Orange Free State alone, excluding technical and industrial education.<sup>5)</sup> The Provincial Subsidies and Taxation Powers Amendment Act no. 46 of 1925 was of far greater significance. By that time, two reports on Native Education had recommended

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1. E.G. Malherbe, Education in South Africa, (Cape Town: Juta & Co, 1977), Vol. II, p. 542.
  2. Memorandum on Policy and Activities of the Native Affairs Department 1942, p. 10.
  3. Welsh Committee Report, UG 29-36, para. 150.
  4. Malherbe, Education, p. 543.
  5. Welsh Committee Report, para 150.

centralization, albeit for different reasons and different kinds of centralization. Hertzog was the leader of the Pact government and 1925 was the year in which 'segregation' got its first official airing, at Smithfield. The 1925 Act, then, seems to have three aspects of major significance: first, it removed the responsibility of financing Native Education from the provinces altogether. Financially, at any rate, centralization was slowly creeping in. The amount fixed for Native Education was to be paid into a Native Development Account set up under the Act and this was to be allocated at the discretion of the Minister of Native Affairs, advised by the Native Affairs Commission. Where the 1921 Native Affairs Commission Report had recommended centralization under the Department of Native Affairs,<sup>1)</sup> the Phelps-Stokes Commission of the following year, led by Jesse James, had advocated control by the Union Education Department - for the reasons that education was an expert field and the NAD therefore not qualified to administer it, and that Native Education was not, as the appointment of separate provincial Inspectors seemed to indicate, sui generis.

Secondly, along with the fixed government grant, the amount paid into the Development Account was to be one fifth of the revenue from the Native General Tax each year. The government evidently agreed wholeheartedly with its rural Free State supporters in this respect and the idea that "they must pay for what they get" became an increasingly important aspect of the debate. Finally, Malherbe's point applies better to the 1925 Act. An amount of £340,000 was to be paid annually into the Development Account along with one fifth of the

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1. UG 15-1922.

Native general tax. Expansion and development, any kind of planning ahead in the field of Native Education, were effectively limited by its financial arrangements. Nor was it expressly stipulated in the Act that this proportion of the tax was to be used exclusively for education. Section 13 provided that the money be used, "among other purposes", for the maintenance, extension and improvement of educational facilities and for the development of 'Native welfare'. It was going to have to be an elastic sum of money, to which anticipated increases in poll tax receipts would make very little difference.

When, in June 1934, Smit replaced Major Herbst as Secretary for Native Affairs, the United Party government was well into its first term of office and the land and franchise segregation legislation was near the end of its long review by a bi-partisan Committee. Despite the fact that Havenga was Minister of Finance and Grobler his Minister of Native Affairs, the effects of Smit's appointment on Native Education were almost immediately felt. By the following year Grobler was complaining of over-expenditure in that field and the year after that, the proportion of the Native General Tax which was allocated to the Native Development Account was increased from one fifth to seven twentieths. Mainly because of his personal interest and concern, Smit was able to use his position in the hierarchy of the administration of Native Education to advantage. Whereas Herbst had tended to meet all requests for money, meetings, changes and development (and he got a great many) with a bland intransigence,<sup>1)</sup> Smit was actively concerned to be of assistance and probably in a better position to offer it. At the end of 1935, the last member of the NAC with any

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1. In a letter to Rheinallt Jones in August 1928, for instance, he said quite categorically that there was no point in even trying to obtain more money for education. (Herbst to Rheinallt Jones, 18 August 1928, SAIRR Papers, B9).

expertise in the field of education (Dr. Roberts), had been replaced (by G. Heaton Nicholls) and Smit had stood in for the Minister as deputy chairman. In that capacity, then, and as Secretary for Native Affairs, on whose advice the Minister allocated the funds earmarked for education, he could effectively influence both halves of the machinery through which the financial arrangements were made.

That his influence made itself felt there, is in no doubt whatever. By 1940, Departmental expenditure on Native Education stood at £996,515, an increase of more than 200 percent over the growth rate for the period 1925 to 1934<sup>1)</sup>. By 1945 it was £2,241,124<sup>2)</sup>. In 1935 only 0,6 percent of all Black children at school were secondary school pupils - mostly in the Eastern Cape<sup>3)</sup>. By 1945 this percentage had risen to 3,4 percent and the number of secondary schools to a hundred and seventy three opposed to twenty in 1936.<sup>4)</sup> While pressure from various interested bodies certainly seemed to increase after 1936, it had not been negligible in previous years, as all the provincial Advisory Boards on Native Education, the missions and the provincial and national African Teachers' Associations had put their weight behind the effort to obtain more money and greater co-ordination for Native Education. The real reason for the change in growth rate seems to be the changes in personnel: first in the Native Affairs Department, when Smit became Secretary, and secondly, in 1939, when Hofmeyr took over the portfolio of Finance from Havenga.

The system of administration, by 1936, was elaborate and inefficient. Each Province had an Advisory Board and a Chief Inspector for Native Education. The Boards comprised mission representatives, Black school-

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1. Between 1928 and 1934, expenditure increased from £540,825 to £634,458. Over the same number of years, 1934-1940, it increased from £634,458 to £996,515. (Figures from Race Relations Fact Sheet, SAIRR Papers, B12(e).
  2. Ibid.
  3. Cook, in Handbook, p. 368.
  4. Ibid., p. 367.

teachers and 'advisers'. These last were usually prominent White 'liberal' figures. Edgar Brookes and Rheinallt Jones, both Native Representatives under the 1936 Act, were members of the Natal and Transvaal Advisory Boards respectively. The number of actual government schools was few,<sup>1)</sup> but there were over 4,000 'aided' schools in the Union, all of which were subject to some form of control by the various Education Departments. They were required to appoint a Superintendent "in accordance with the regulations applicable to Superintendents of Native Schools" and were run by Committees consisting of Church and Education Department officials as well as members elected by parents with children at the school.<sup>2)</sup> There were also sub-categories of these aided schools in the Transvaal where the Education Department and Eiselen, the Chief Inspector for Native Education, were keen to reduce mission control. Mere 'aided' schools were less generously subsidized than those which submitted to a greater degree of control, amalgamated with other denominations, accepted the appointment of a Superintendent by the Education Department and were known as Amalgamated Schools.<sup>3)</sup>

Black teachers were, by 1936, organized into Associations which kept in close touch with the Advisory Boards, in which they found their most consistent champions in the perpetual struggle to obtain a reasonable living wage from the Department. The Boards would submit financial estimates to the Chief Inspector who passed them on to the Provincial Administration, which in turn submitted them to the Department of Native Affairs. These estimates were considered by the NAC and the Department, which would make their allocations out of the funds available.

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1. 232 altogether, of which 216 were in Natal and none in the Free State. (Cook, in Handbook, p. 364).
  2. Memorandum on the status of the various schools, Rheinallt Jones Papers C44 b/21 (undated).
  3. Ibid.

There is evidence that by 1940 the various interested organizations, from the missions to the Advisory Boards, had got Smit's measure. The middlemen - the NAC and the Chief Inspectors - were increasingly bypassed in favour of a direct approach to the Secretary himself, and throughout his office Smit was at the receiving end of an ever growing flow of correspondence with regard to the financing of Native Education. (see p. 73 ).

The appointment of the Inter Departmental Committee on Education in 1935 should be seen in the context of the segregation legislation then in preparation. The Committee's terms of reference were clearly directed at the establishment of some sort of centralized control<sup>1)</sup> and the appointment of educational experts<sup>2)</sup> who were expected to define the aims of Native Education, its methods, scope and language medium, indicated that centralization was a foregone government conclusion. The effects of the cautious findings which the Committee reported in 1936 were, however, controversial and possibly unexpected.

After describing the history of Native Education before Union and, province by province, tracing its development to 1936, the Committee decided in favour of government control on the grounds that financial and administrative responsibility should go hand in hand. It contended that provincial control was open to political abuse and that control divided between the provinces, the NAC and the Native Affairs Department was unsatisfactory.<sup>3)</sup> It went further than this, and on the contentious

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1. "Whether, in view of the extent to which the Union Government has assumed financial responsibility for Native Education it should take over its administration from the provinces." (Welsh Committee Report, Clause ii).
  2. Its members were: W.T. Welsh (Chairman), M.P.C. D.M. Malcolm, Chief Inspector, Natal Education Dept., G.H. Welsh, Chief Inspector, Cape Education Department, G.H. Franz, Chief Inspector Transvaal Education Department, N.F. Kuschke, Chief Inspector O.F.S. Education Department, E.G. Malherbe, Union Education Department, J.L.F. Venter (Secretary).
  3. Welsh Committee Report, paras. 252-290.

issue of 'which Department?' came down on the side of the Union Education Department for a number of reasons, of which the most important was that Native Education should not be differentiated from White education. In a more practical vein it stressed that education needed administrative specialists, that it was unnecessary to duplicate the existing educational machinery and that the Native Affairs Department was already overburdened. Finally, and in this it had the whole African colonial experience as precedent, it urged that education was one of the areas of White control of which Blacks were most suspicious and that control by the Department of Native Affairs, with the sinister associations which it held for many Blacks, would merely increase this suspicion and lead to more resentment.

In defining the aims of Black education, the Committee was fairly open about its ends: "... the education of the White child prepares him for life in a dominant society and the education of the Black child for a subordinate society."<sup>1)</sup> It accepted that the social, economic and political structure of the country effectively limited Native Education and concluded that

a full liberal philosophy is not at present applicable to Native Education ... We feel that this avowedly interim synthesis is all that can be offered. 2)

Having decided, then, on a rather craven practical approach, the Committee went on to present the following definition of the 'aims' of Native Education - in which echoes of the "social, economic and political structure" imposed their own limitations:

The effective organization of the Native's experiences so that his tendencies and powers may develop in a manner satisfactory to himself and to the community in which he lives by the growth of socially desirable knowledge, attitude and skills. 3)

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1. Ibid., para. 458.
  2. Ibid., para. 463.
  3. Ibid., para. 467.

Reactions to the publication of this report were widely varied. On the whole, that of Black educationalists was inclined to be unfavourable. While they fully approved the Committee's recommendation that the financing of Native Education be henceforth entirely out of general revenue, allocated by the Education Department, and on a per caput basis,<sup>1)</sup> they were less enthusiastic about the prospect of centralized administration and resentful of the way in which the Committee had found it necessary to define its aims. The Transvaal Advisory Board received a number of objections from schoolteachers, at least one of which was passed on to E.G. Malherbe by Rheinallt Jones. Malherbe's comments give some indication of the dilemma in which the Committee members found themselves.

The aims and objects as actually formulated by us ... do not place any limitations on the Native. It is the political and economic situation in South Africa that places limitations on Natives ... Our Committee, while recognising those limitations, in no single instance justified them. 2)

Whatever the feelings of the United Party Cabinet about the report, its Minister of Education, at any rate, was delighted with it. Hofmeyr lost no time after the publication of the report in preparing a memorandum on Native Education "as a basis for discussion by the Cabinet at an early date."<sup>3)</sup> The memorandum dealt solely with the administrative recommendations of the Report, all of which Hofmeyr evidently welcomed, with one or two reservations: he felt, first, the NAD should be more adequately represented on the proposed National Board of Education and, secondly, that the constitution proposed by the Committee for the various departments should be simplified.

Before the change of government at the end of 1939, Smit maintained

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1. Welsh Committee Report, para. 304.
  2. Malherbe to Rheinallt Jones, 6 February 1937, SAIRR Papers, B9.
  3. Memorandum of 11 November 1936, Hofmeyr Papers, Dd.

a cautious silence on the question of the transfer of Native Education. In April 1939, the Minister of Native Affairs delivered a speech at Umtata to a meeting of Chiefs and Headmen, the notes for which had been prepared by Rodseth. On the question of Education, the Minister stated quite unequivocally that it was proposed to transfer control from the provinces to the Department of Native Affairs. Attached to Rodseth's notes was a memorandum on "The Proposed Assumption of Control of Native Education by the Government" which made it quite clear that the government favoured control by the Department of Native Affairs in order to bring education into line with policy.<sup>1)</sup> Hofmeyr's memorandum of the previous year must be assumed to have been completely ignored. Both this memorandum and the entire Committee Report were clearly not what the government wanted to hear.

The change of government, so far as Smit, Hofmeyr and progress in Black education were concerned, was fortunate. By July 1941 Smit was obviously confident of ministerial backing when, at the Lovedale Centenary celebrations, he was able to say that the Native Affairs Department had no intention of assuming control of Native Education. Not only was it unwilling but it was also entirely unqualified.<sup>2)</sup> The way seemed to be open for legislation of the kind suggested by the Committee and proposed by Hofmeyr in 1936. The attitude of the provinces, however, and the exigencies of war time governing put paid to any chance that Black education would acquire the centralized and specialized administrative machinery it needed before it was too late.

As early as 1937, soon after the Welsh Committee issued its report, the Natal Provincial Administration, backed by its Advisory

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1. 24 April 1939, Smit Papers, 3/39.  
2. Draft speech, 21 July, Ibid., 16/41.

Board on Native Education, came out in total opposition to the transfer of control.<sup>1)</sup> In August, a meeting of representatives from all four Advisory Boards met in Pretoria. The meeting was convened and chaired by Senator Brookes who explained that the government was "not prepared to force the issue in face of Natal's opposition."<sup>2)</sup> The Natal Board therefore, wished to submit proposals which, it hoped,

would permit of the co-ordination of Native Education through an Advisory Board under the Union Department of Education, without requiring centralized control, and the removal of the control of the finances of Native Education from the Native Affairs Department."<sup>3)</sup>

What it proposed was a Union Education Advisory Committee which would advise the provinces and the government on all aspects of Native Education - a move which they saw as the first step towards the eventual realization of the proposals of the Inter Departmental Committee. As soon as this proposal had been accepted by the Conference, the representatives, by pre-arrangement through Smit, met the Acting Minister of Native Affairs (Smuts), the Minister of Education, and Smit himself. Reaction was fairly favourable, apart from Smit's gloomy prognostication that the NAC would oppose the proposals tooth and nail: the latter in fact, had already prepared a memorandum reaffirming the recommendations of the 1921 NAC report, but in spite of this the delegation dispersed in a reasonably optimistic frame of mind.<sup>4)</sup>

The Native Affairs Commission took its duties with respect to Native Education very seriously. In 1925 it had been named as adviser

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1. While the reasons for Natal's opposition are obscure, it should be noted that nearly all the Black government schools in the Union were in this province.
  2. It seems likely that the government, in view of its own divisions on the subject of transfer, was quite unable to 'force the issue'.
  3. Minutes of Conference of Representatives of the four Provincial Advisory Boards on Native Education, held in the Provincial Building, Pretoria, 23 August 1937, SAIRR Papers, B 80 (a).
  4. Ibid.

to the Minister in the matter of the allocation of education funds and was reappointed in this capacity in 1936, when, in the interests of simplicity, the Development Account was merged with the Native Trust Fund. The 'experts' appointed by Smuts in 1920, and of which the Commission was expected to consist,<sup>1)</sup> had been gradually replaced by M.P.'s, ex-cabinet ministers and potential cabinet ministers,<sup>2)</sup> all of whom had given the Commission an increasingly political orientation. Its influential role in such a specialized field was consequently a perpetual source of resentment among educationalists. In 1928, for instance, when the Commission could actually lay claim to educational expertise among its membership in the persons of Drs. Roberts and Loram, a meeting between Heads of Institutions and the NAC, at East London, made this resentment very clear.<sup>3)</sup> In 1936, shortly after the publication of the Welsh Report, a letter from Rheinallt Jones to the Rev. S. Makiwane, a concerned member of the Transkeian Council, represented the choice as between two evils. The writer expressed extreme wariness at the prospect of government control, but, he said, "even now the Native Affairs Commission throttles Native Education and there is no educationalist on the Commission."<sup>4)</sup>

The report which the Commission issued in 1937 might have led him to even stronger forms of metaphorical allusion. It was a quite unequivocal document, in which the influence of Heaton Nicholls, to whose handiwork much of the 1936 segregation legislation owed its final form, was paramount. The whole of the second chapter was devoted to an exposition on Native Education, during the course of which the

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1. Report of the Native Affairs Commission, 1921 UG15-1922, para. 2.
  2. The membership in 1936 was as follows: G. Heaton Nicholls, M.P., J.M. Young, W.R. Collins, M.P., (later Minister of Agriculture) and Gen. E.A. Conroy, M.P. (later Minister of Lands). Each province was now represented on the Commission.
  3. Minutes of a meeting between Heads of Institutions and the Native Affairs Commission, 19 January 1928, SAIRR Papers, B65 (d).
  4. 6 October 1936, Ibid.

Commissioners decided that "the present system could not be better calculated to destroy the aims of Native Policy."<sup>1)</sup> It attacked the 1936 Welsh Committee Report for assuming that the existing state of political affairs was of a temporary and transitory nature,<sup>2)</sup> and stressed the need for directing Native Education in conformity with Native Policy. Paragraph 41 is worth quoting:

If common citizenship in a single society is to be the end, we should obviously set about a proper education for citizenship instead of legislation for separate development ... The whole conception of parallel development with each race living harmoniously side by side, must be dropped. Instead, all that we have to look forward to is the development of an individualized mixed society of White and Black with each individual unit drawn into the vortex of competition until the hereditary instincts of one side or the other gather in centripetal force around a modern class ideology and usher in the class war. The Native Affairs Commission emphatically rejects this view. Its mere statement from an authoritative source shows the need for directing Native Education in conformity with Native Policy. 3)

The real issues behind the interminable administrative squabbles were at last being openly aired. The 1936 Committee seemed to share the prevailing liberal optimism with regard to the transience of the segregation policy - an interpretation which differed radically from that of the NAC. As far as the latter was concerned there was to be no recognition by the White 'trustee' of the eventual maturity of his 'ward'. The relationship was to be a permanent one and the system of education had to be organized around that fact.

There is no concrete evidence that Smit was directly responsible for increasing the proportions of the Native Tax allocated to the

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1. Report of the Native Affairs Commission, 1936-37, UG48-37, para. 40.  
 2. Ibid., para 41.  
 3. Ibid.

Development Account before 1939.<sup>1)</sup> As soon as Hofmeyr became Minister of Finance, however, their joint interest began to make itself felt. At the end of 1939, Smit appealed to the Minister for a further allocation of the tax,<sup>2)</sup> provision for which was made when Hofmeyr presented his budget in March the following year.<sup>3)</sup> Smit had long been advocating financial increases for Native Education and in Hofmeyr he at last had a Finance Minister who was prepared to do his utmost to grant them. There was no question at this stage of an increase in the grant from general revenue. That had been set at £340,000 in 1925 and the figure remained unchanged fifteen years later. According to Paton, Hofmeyr increased expenditure on Native Education as far "as he could dare to do"<sup>4)</sup> and it seems that he did not dare, at this stage, to alter the principle behind the financing of such education. There is no doubt that he wanted to. At the end of 1940, Smit was still optimistic about the prospect of further increases.<sup>5)</sup> By 1943, however, the Native Tax had reached the end of the road. The whole amount was to be paid into the Trust Fund, of which four fifths were to be used for Native Education and the rest for 'purposes of welfare.'

Between them, Smit and Hofmeyr had increased expenditure on Native Education by 1943 to £1,673,881 - an increase of 84 percent over the 1939 figure.<sup>6)</sup> This figure included expenditure on higher education, types of agricultural education, and school feeding. Additional money was spent by the Native Affairs Department and by the Transkeian and Ciskeian General Councils. In 1934, when Smit entered the Department, the total number of schools in the Union on which the state spent money

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1. He certainly increased expenditure, though, and this in itself would have necessitated an increase in revenue.
  2. Rheinallt Jones to the Secretary of the Native Education Department of the Transvaal Education Department, December 1939, Rheinallt Jones Papers, C44/a (This indicates that the TED had already established a Natives sub-department).
  3. Smit to Hofmeyr, 21 March 1940, Hofmeyr Papers, Dd.
  4. Alan Paton, Hofmeyr, (Cape Town: Oxford University Press, 1964), p. 355.
  5. Smit to Rheinallt Jones, 17 October 1940, Rheinallt Jones Papers, C44/a/12.
  6. Notes on "The Growth of expenditure on Native Education," 1928-1945, SAIRR Papers, B12/e.

was 3,336. At the end of 1945, when he left it, the number had increased to 4,547.<sup>1)</sup> There are two outstanding points to be made in regard to the education statistics for the period 1936 to 1946. The first is that the number of secondary schools had increased from 20 to 173<sup>2)</sup> and the second, that the number of purely government schools had increased from a handful in the Cape and 80 in Natal, to a total of 232 for the Union.<sup>3)</sup> These were important developments and ones which, on the evidence, owed a great deal to the efforts of Smit and Hofmeyr.

Smit's determination to develop land and agriculture in the Reserves extended to the provision of adequate facilities for agricultural training. Although this kind of training was not regarded with quite the same degree of suspicion and resentment as the other forms of industrial and technical education, it struggled against a purely practical impediment, which was the lack of employment avenues for certificated agriculturalists. The Holloway Report of 1932 had cited this as one of the main reasons for the general lack of enthusiasm for this kind of training among young Blacks. The 1936 Trust and Land Act had multiplied these employment opportunities but to nothing like the required extent. The agricultural college of Fort Cox had been founded by the Department in 1931 and although the Transkeian General Council followed suit by starting another two such schools, these were closed within a few years due to the lack of both support and funds.

The texts of various speeches made by the Minister of Native Affairs, the Governor General and the Secretary, at rural gatherings in the Reserves throughout this period, were characterized by the stress which they laid on the need for agricultural education. By 1940, this kind

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1. Cook, in Handbook, p. 364.

2. Ibid., p. 369.

3. Ibid., p. 364.

of emphasis was even stronger, but the pressure had shifted from separate colleges to the school curricula. The reclamation of the 'Native Areas' was to be one of the main planks in the Department's programme of post war reconstruction and, with this aim in view, the NAD gave the lead to the Education Departments by promoting subjects such as gardening and nature study from the earliest years of primary education. There was no question of the same sort of emphasis at White schools; differentiation was rearing its head with Smit's approval, but it was of a more practical and non-political nature than that recommended by the Native Affairs Commission.

Smit was a firm believer in the need for time, and, quite clearly thought that there was going to be plenty of it. He told the Natives Representative Council at its first meeting in 1937 that the crux of the whole educational question was finance, and that was the issue on which most of his energy was spent. Although he told the same session of the NRC that "You cannot apply the same scales to Natives as you do to Europeans ... the standard of living is different,"<sup>1)</sup> he seems to have regarded education as the means whereby those "standards" would gradually be changed. It is hard, despite the frequency with which he made remarks of this nature, to convict him of colour prejudice in its South African political sense. While he was in a position to influence policy, he could not direct it, and, working via his favourite maxim that 'Rome wasn't built in a day', he acted, as he told Hoernlé in 1941, "from day to day, snatching opportunities for Native Advancement as they present themselves."<sup>2)</sup>

As Minister of Education, from 1934 to 1945, Hofmeyr was in effect

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1. Verbatim Reprints of the Natives Representative Council, First Session, December, 1937, p. 52.
  2. Smit to Hoernlé 31 October 1941, Smit Papers, 25/41.

Minister of higher education only. He could advise the Minister of Finance on the estimates for White education but had nothing to do with the financing of Black education, except that which was officially classified as 'higher'. It does seem however, that he managed to stretch the definition of 'higher education' as far as it would go. Fort Hare, which had been established in 1916, was controlled and financed by the Union Education Department; by 1946 the number of teacher training schools for Blacks had increased from 27 in 1936 to 32<sup>1)</sup> while industrial training had come to be regarded as 'higher' and some of the financial onus thereby removed from the NAD. By 1946 there were 51 such schools or departments of schools.<sup>2)</sup> Hofmeyr had also helped to establish a school for training Black social workers in Johannesburg, which, despite its low entrance qualifications, was officially classified as 'higher' and for which the UED rather than the NAD assumed financial responsibility.

The anomalies of this sort of divided control sometimes bordered on the absurd. In 1943, an exchange in the Senate highlighted some of the difficulties encountered: during the debate on the policy of the Minister of Finance and Education, Hofmeyr came under fire from the Native Representatives over the lack of money available for Native Education, and referred them to the Minister of Native Affairs on the grounds that Native Education was not one of his responsibilities. There is reason to sympathize with Brooke's frustration:

... unless the Minister of Finance has a few quiet words with his colleague the Minister of Native Affairs, we shall undoubtedly be referred back by the Minister to the financial difficulties of the situation, to the Treasury and to the Minister of Finance and that is our difficulty all the time. 3)

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1. Welsh Committee Report, para. 184 and Cook in Handbook, p. 371.
  2. Cook in Handbook, p. 371.
  3. Senate Hansard, 31 March 1943, cols. 1113, 1233-5.

When the debate was resumed, Hofmeyr tried to clarify the situation:

...as Minister of Education I have nothing to do with the financing of Education. I do deal with the financing of Native Education as Minister of Finance ... [but] I must needs be guided by what is put before me by ... the Minister of Native Affairs. 1)

The latter, of course, was guided by the Secretary, who was advised by the NAC and (ostensibly) the NRC, whose advice was based on provincial estimates, which in turn were guided by the Advisory Boards and the Chief Inspectors. It was all rather like the House that Jack built, and it was not until 1945 that its foundations approached anything near the strength required to support it.

In 1941, Smit opened the D.L. Smit Dormitory block at Lovedale, a teachers' training college in the Eastern Cape. The hostel for Black students at Wits University which was opened in 1944 was called the Douglas Smit Hostel, and so were a number of similar institutions. A large proportion of the letters Smit received on his retirement were from school or mission heads who were eloquent in their praise for his efforts and achievements in Native Education. Those were not empty gestures, nor did the grand sound of his farewells signify anything. The idea of training Black doctors had been Smit's, money for the hostel had been found from the Trust and the NAD on his recognizances, it was through his efforts that the Trust paid the boarding fee of all Black medical students and it was his efforts which had resulted in the establishment of five bursaries of £225 per annum for selected students.<sup>2)</sup> The missions had long ago discovered that it paid to approach Smit directly for money. No request, however large or small, was disregarded. An exchange of letters between Eiselen, Transvaal Chief Inspector for

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1. Ibid., col. 1255.

2. Text of van der Byl's speech at the opening of the hostel, 27 November 1944, Smit Papers, 28/44; van der Byl to H.R. Raikes, 14 August 1944, *ibid.*, 15/44. Memorandum in 'Medical Training for Natives', 25 November 1944, *ibid.*, 27/44.

Native Education and Rheinallt Jones makes it clear that Smit was as sympathetic and helpful as possible.<sup>1)</sup> In March 1941, Father Stephen Carter of St. Peters, Rosettenville, decided to apply for money from the Native Affairs Department for the first time in the history of the school (which was not registered as 'aided'). He had applied, he said, because he thought there was some hope of a grant while Smit was holding the reins and, "of course ... he will not always hold that post."<sup>2)</sup> The Native Representatives had also learnt the value of Smit's support where he was able to give it; in a letter to Edgar Brookes about the cost-of-living allowances payable to Black schoolteachers, Margaret Ballinger wrote that she had tried to see Smit "with a view of getting him to put his weight behind our demand ..."<sup>3)</sup>

From the middle of 1941, when Lovedale opened its new dormitory block, Smit was kept busy opening one new secondary school after the other. In August, the Transvaal got its first Black government secondary school, at Orlando, the biggest 'location' in the Union. The Johannesburg City Council provided the site, the Trust provided the building, Hofmeyr had found the money which would enable the Province to run the school and Smit had provided the initiative. While he had nothing but praise for missionary educated activities, there is evidence that he favoured the establishment of government secondary schools run in exactly the same fashion as those for Whites. Here he had the support of the Cape Superintendent for Education, Dr. Wouter de Vos Malan. Dr. O.D. Wollheim, who was employed by the Cape Education Department at the time, recalls that

Both of them - and I suspect that Smit was at the bottom of the plan - wanted to experiment with schools for Africans which were not controlled by Missions. There had been recurring unrest and troubles at such schools and they thought that

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1. January-February 1941, Rheinallt Jones Papers, C44/a.
  2. Carter to Rheinallt Jones, 6 March 1941, Ibid.
  3. Ballinger to Brookes, 30 July 1944, Ballinger Papers a/410/32(d).

schools for African scholars run exactly like those for Whites, with locally elected school Committees working under the supervision of the local school board might be the solution to the problems. 1)

Smit's interest in the progress of compulsory education schemes for Blacks in colonial areas<sup>2)</sup> and the amount of information he collected on this subject bear out Dr. Wollheim's further remarks:

Smit ... felt that the time was ripe for a gradual extension of education, other than Mission controlled, to a much wider range of children in the hope that over the years one might achieve a state where compulsory education might be applied - first to the age of twelve years, later extending to fourteen years, and ending up the same as for Whites. 3)

Wollheim was chosen personally by Dr. Malan, in consultation with Smit, as the first headmaster of the newly established government school at Duncan Village, East London, in 1938. Officially, Smit was concerned only with the finance of Native Education, but the evidence, throughout his office in the NAD, is to the effect that he deliberately involved himself in every possible aspect of it.

The Duncan Village school was the first of its kind in the Union. Others followed, at Port Elizabeth and Kingwilliamstown, before the Transvaal and Natal followed suit. The Orange Free State, by 1946, still had no government schools for Blacks at all, let alone secondary schools.<sup>4)</sup> This factor, and the leadership provided by the Cape in this field of Black education are interesting for two reasons: they underline the role played by individual initiative among administrative

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1. Dr. O.D. Wollheim in a letter to the writer, 29 March, 1977.
  2. In 1945-6 he conducted extensive research in this field, particularly in Northern Rhodesia, which was the only area in which compulsory education for Blacks had been effectively applied.
  3. Wollheim to the writer, 29 March, 1977.
  4. Cook in Handbook, p. 364.

personnel in the development of Native Education, as well as the lack of co-ordination between the various provinces which controlled it.

In August 1941 Smit opened the Western Native Township Secondary School, in Johannesburg. This school had in fact had its origin in Missionary effort and was to be fed from the Mission schools in the area. Again, the Council had provided the site and the Trust the money, and, like Orlando, the school was to be staffed entirely by Blacks. October 1942 saw the opening of the D.L. Smit Secondary School at Lemava, a Mission school this time. The Swiss Mission there had actually applied to the Department of Education for a grant for the school, the grant had been refused and it was Smit who had somehow found the money from the Department of Native Affairs.<sup>1)</sup> The Dutch Reformed Missions seemed determined to match the endeavour of the other Missionary bodies. At the end of 1942 they opened a secondary school at Middelburg, Transvaal and by the end of 1944 'Die Sendingskool van die Nederduitse Hervormde of Gereformeerde Kerk te Orlando' had opened in Orlando. The Dutch Reformed Missions were later to provide the fiercest opposition to the transfer of Native Education to the Union Department of Education.

By the middle of 1943 Smit was looking forward to real changes in the prevailing attitudes. He himself had begun to substitute 'African' for 'Native' in his numerous speeches at public functions, and he referred enthusiastically to the 'new world' after the war, in which education was to be a matter of primary concern.<sup>2)</sup> In

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1. Text of Principal's opening speech, 5 October 1942, Smit Papers, 6/42.
  2. Text of Smit's opening address at the Langa Secondary School, Cape Town, 6 March 1943, *ibid.*, 4/43.

March 1943 the Western Cape acquired its first Black secondary school, and Smit, when he opened it, spoke of the growth of government secondary schools in terms of an experiment "on which the future policy of Native Education will largely depend."<sup>1)</sup> In a letter of appreciation which he received shortly afterwards, the principal, Mr. I.M. Mkize, was full of praise for the "liberal grants that your department has consistently made, sometimes in the teeth of the fiercest opposition, towards all aspects of Native development."<sup>2)</sup> While there was obviously sense in Hoernlé's contention that the limits within which the paid official could "shape" policy were narrow ones, the point here is that there was at this stage no policy at all with respect to Native Education - a fact of which Smit took the utmost advantage.

Early in February 1944 it seemed that the 'great experiment' was working well. A conference on 'The Control and Finance of Native Education' was convened by Smit in Cape Town and attended, at his invitation, by the Minister of Native Affairs, the Minister of Education and Finance, the Secretary for Education (Mr. F. Hugo) and Smit himself. The Native Representatives were all there, as were representatives of the Provincial Education Departments, the Christian Council of South Africa, Dutch Reformed and Roman Catholic Missions, the Federated African Teachers' Association and, (an indication that Smit had got the measure of Black politics?) the ANC rather than the NRC. Van der Byl reported that the whole of the Native Tax was now paid into the Native Trust, of which four fifths was to be used for education. The estimated expenditure for Native Education in 1944-5 was £1,894,000, however, an amount with which it was beyond

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1. Ibid.

2. Smit Papers, 4/43.

the ability of the tax to cope. Clearly, something had to be done about money, and Hofmeyr, who came in at this juncture, went straight to the point. He made two: first, that it was surely impractical for the NAD to assume control of Native Education when the limit of available Trust funds had been reached, and second, simply that the Department of Native Affairs was not an educational Department.<sup>1)</sup>

Hofmeyr recommended, as he had always done, that the soundest course would be to place control with the Union Department of Education - a move which was strongly opposed by the Provinces, which "were not prepared to relinquish control of Native Education but desired more money in order to develop it."<sup>2)</sup> He then produced the alternative solution which had been proposed by Natal in 1937: that the position of the Provinces should remain untouched, but that the Union Department of Education should replace the NAD in the matter of financial control. Native Poll Tax revenue should henceforth be paid into general revenue and Native Education

should become a state service, financed from general state funds, and under the control of the state education authority. There should be a Union Advisory Board on Native Education to advise the Minister of Education, along the lines suggested by the Welsh Committee. 3)

With the single exception of the Dutch Reformed Church, there was general approbation of these proposals. The tenor of Hofmeyer's remarks seemed to be that the Provincial Councils were on trial, although the Minutes prepared by the Christian Council put it rather ambiguously:

The impression was gained from Mr. Hofmeyr's remarks that the Provincial Councils had been led to realise that they must fully carry out their responsibilities as administrators of Native education if they are to retain their present position. 4)

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1. Minutes of the Conference (as reported by the Christian Council of South Africa), SAIRR Papers, B72(e).
  2. Ibid.
  3. Ibid.
  4. Ibid.

If the Provinces, and particularly, one suspects from the record of its non achievements, the Orange Free State, failed to measure up to these expectations, then it was only a step to the implementation of the Welsh Report.

The Native Education Act of 1945, in which the Natal suggestions were embodied, transcended one of the major 'in principle' obstacles hitherto placed in the way of non differentiated education for Blacks, in that the money came from general revenue and not specifically, from the proceeds of Native taxation. Moreover, its allocation was to be controlled by the Union Education Department, advised by a Board of experts, so that Provincial differences were at last going to be up against a fairly solid centralized control.

Soon after the Education Act was passed, Hofmeyr invited Smit to become a member of the Union Advisory Board on Education "in his private capacity,"<sup>1)</sup> as one of the three nominated members.<sup>2)</sup> The Minister was obviously the nominator and did not, apparently, wish to lose the benefits of an association which had hitherto proved so profitable. Hofmeyr had earlier expressed resentment at being advised by members of the NAC who were not educational experts; Smit himself was not an educational expert and Hofmeyr in this instance, used his prerogative to enlist sympathy rather than expertise.

The Education Act of 1945, though it remained in force for a comparatively short period, represented the culmination of Smit's career in the Department of Native Affairs. All those who remember him,

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1. Cable from Hofmeyr to Smit, 9 October 1945, Smit Papers, 222/45.
  2. The composition of the Advisory Board included three government nominees. The chairman was the Secretary for Native Affairs; other members were the Secretary for Education, a representative of each Province and two members of the NRC.

including Margaret Ballinger and Gordon Mears, are unanimous in his praise when they recall his influence on the development of Native Education. Mrs. Ballinger has called him a 'pioneer' in this field, whose total opposition to the principle of segregated education was responsible for most of the improvements in this area before 1948.<sup>1)</sup>

Dr. Mears selected this aspect of Native Affairs as the one in which his influence with his Ministers was most effective,<sup>2)</sup> while even Major van der Byl referred to him as that "rare" and "great" public servant - "who actually influences government policy."<sup>3)</sup>

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1. In a private interview, Cape Town, April 1977.

2. Ibid.

3. Van der Byl to Smit, 20 March 1945, Smit Papers, 32/45.

## CHAPTER IV

THE NATIVE REPRESENTATIVES COUNCIL, THE NATIVE AFFAIRSCOMMISSION AND D. L. SMIT

I have discovered this peculiarity among our White people generally throughout the country, among the most sympathetic White people - that they like to criticize the government, but the African must not do so - Oh dear no!

(Councillor Mosaka, August 1944, Seventh Session, Verbatim Reports of the Natives Representative Council, 111:62).

While the Department of Native Affairs expanded to meet the responsibilities imposed on it by the 1936 Land Act and the newly created Native Trust, its Secretary found himself cast in a decidedly unenviable role by the Representation of Natives Act. In the first place, by shepherding into Parliament three M.P.'s and four Senators whose purpose was solely that of promoting Black development and airing Black grievances, the Act gave to Native Affairs a prominence in debate and public attention which they had never had before. Secondly, because the creation of the twenty-two member Natives Representative Council was, along with the parliamentary representation, ostensibly at any rate, an integral feature of the entire 1936 segregation structure, its successful operation was essential to the credibility of the policy as a whole.

The Council was composed of twelve communally and indirectly elected Black members, six White officials and four nominated Blacks; it had the function of considering and reporting to the Minister of Native Affairs on proposed legislation insofar as it might effect the Native population, on any matter referred to it by the Minister and on any matter especially affecting the interests of the Natives in general. Its chairman was the Secretary for Native Affairs and for nearly the whole of the Council's working life, it was Smit, in his capacity as

a White administrative official, who occupied the chair.

In spite of the potentially extensive scope thus conferred on the Council by the Act, its members, duly elected, were called together for the first session only in December 1937, after the contentious Native Laws Amendment Act of that year had been passed. Not surprisingly then, having been thwarted in its desire to make its statutory contribution to the legislation in draft, the Council, Thema and A.M. Jabavu in particular, was keen to express its opposition to the Act. Smit, in the chair for the first time, surrounded by stalwarts of the Native Affairs Department and the NAC (the latter customarily sat in on NRC debates), and encouraged by the obvious differences in opinion between the rural and urban members of the Council, took a firm line from the start. He refused to allow any kind of policy discussion on the grounds that policy was a parliamentary matter and outside the scope of the Council and instructed Councillors to confine themselves to related administrative problems only.<sup>1)</sup> He did, however, with that curious ambivalence which characterized all his dealings with the NRC, make it plain that his Department would do all in its power to encourage local authorities to make use of their powers of controlling ingress "so as to obviate as far as possible the bringing into operation of the removal provisions."<sup>2)</sup>

There was an element of farce about the whole situation. Many of the Councillors had been part of the AAC opposition to the Acts of 1936<sup>3)</sup> and had only allowed themselves to be nominated for election

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1. Verbatim Reports of the Native Representatives Council, First Session, December 1937. (Hereinafter referred to as NRC Verbatim Reports). Smit's ruling was definitely contradictory to the statutory functions of the Council, but, in view of his administrative position, understandable: "I ask you to confine yourselves to the difficulties you may have in administering the laws."
  2. Ibid., 8 December 1937.
  3. Notably A.M. Jabavu, Z.K. Mathews and Godlo.

to the NRC in order to test the efficacy of the new policy and because there was nothing they could do about it. They came, therefore, reluctantly, critically, yet prepared to give the new constitutional channels every chance. For his part, Smit was opposed in principle to the segregation policy as a long term solution to the 'problem' of race relations in South Africa. In 1937, this opposition was neither as evident nor as convinced as it later became. It stemmed from an intellectual recognition of a common humanity and from an 'administration-eye view' of the practical difficulties involved in such a course. There is no evidence, then or later, that this recognition ever became an emotional one, or that Smit envisaged the transition to common citizenship in his lifetime or even that of his children. Hence his obvious paternalism and his energetic innovations with regard to Native Affairs were in no way conflicting.<sup>1)</sup> As far as the NRC was concerned, the lack of ideological commitment on both 'sides' to what was, in fact, a political experiment, boded ill for its successful outcome.

The pattern for NRC sessions for the next ten years was set. In 1937 the Council was courteously but firmly relegated to the position of an administrative adjunct. It was presented with accounts and estimates of expenditure, its questions were answered to the best of their ability by the government officials called in by Smit to cope with the prepared agendas, and policy matters became an increasing embarrassment to officialdom. By 1946, Mears was washing the administration's hands of the Council altogether and asking to be relieved of the chair on the grounds that the NRC was a "political institution" and determined, in its

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1. Brookes is right when he called him a 'paternalist', and so is Oscar Wollheim, who says: "I cannot imagine him to have had any sort of colour prejudice and I am sure that he was doing his very best, under difficult circumstances, to bring Africans as quickly as possible deeper into Western culture and the socio-economic world." (In a letter to the writer, 29 March, 1977).

deliberations, to range beyond those limits with which an administrative official could cope.<sup>1)</sup>

Despite the obvious difficulties of his position, Smit's attitude is difficult to understand. The man to whom Hoernlé confided his correspondence with Clayton, and to whom Sir Thomas Graham had written with such optimism on his appointment in 1934, is difficult to reconcile with the hard line chairman of the NRC. As far as administrative questions were concerned, Smit was in his element. His knowledge of the whole gamut of Native Administration was astounding. On many occasions he was able to reel off facts and figures without reference either to written statistics or to the assembled officials who had come provided with such information. His apparent lack of sympathy with the political grievances frequently voiced by the various Councillors was partly attributable to his inability to do anything about them; his efforts as NRC Chairman were consistently directed towards making the Council aware of the immense practical difficulties of administration and somehow imbueing its members with a greater sense of 'administrative responsibility.'

One of the biggest grievances of the NRC was the continued existence of the Native Affairs Commission. Since 1921, when it issued its first report, the tone of Commission reports had become increasingly unsympathetic towards those interests which it was supposed to represent. Its membership, faithful at first to Smuts's contention that the Commission should consist of 'experts' and that it should devote its attention to those matters (such as the Pass Laws and 'Native Taxation')<sup>2)</sup> which constituted particularly thorny 'problems', had become more and more political over the years. From the sympathetic

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1. "Notes of discussion by the Native Affairs Commission in regard to the Natives Representatives Council," 27 September 1946, Smit Papers, 31/46.
  2. Report of the Native Affairs Commission, 1921, para. 5.

interest revealed by the reports of Loram and Roberts in 1921, the NAC, by 1937, confined itself to upholding the letter and spirit of the segregation policy of the preceding year.<sup>1)</sup> Membership of the Commission, under the Hertzog government, had become something in the nature of a 'reward' for favoured M.P.'s or Senators with the result that, by 1936, three out of its four members were also members of Parliament. (See p.66 ).

Opposition to the NAC was not confined to the Natives Representatives Council. Criticism of the Commission and in particular of Heaton Nicholls, was heard from all quarters of South African political life, from the ANC to the Senate. The influence of Heaton Nicholls, guiding light of the select committee deliberations on the 1936 legislation, was especially apparent in the NAC recommendation to the government to proceed with the 1937 Native Laws Amendment Bill without waiting to consult the NRC after elections had been held.

Quite apart from this action on the part of the NAC, of which they were resentfully aware, the Councillors who laid down their objections to the Commission in 1937 had logic on their side. Although the two bodies were differently constituted, the functions which provided their raison d'etre were essentially similar. The Parliamentary activities of the Native Representatives were considered to complement those of the NRC; those who felt that the representative structure of 1936 (i.e. NRC plus Native Representatives) had led to the redundancy of the older body, had a strong case. It was argued, moreover, that not only were the interests of the Commission (whose members represented White electoral constituencies), opposed to those of the Council, but that its

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1. Report of the Native Affairs Commission, 1936, UG48-37, paras20 to 42.

direct access to the government gave it an unfair advantage. The NAC was unhampered by having to rely on an administrative official as a channel for communication and was expected, if it so desired, to go over the head of the government and to lay its recommendations before Parliament.<sup>1)</sup>

For this reason, Nicholls argued, in somewhat contradictory fashion, as he replied to the criticism of the Commission which emerged at the first session of the Council, it was better to have M.P.'s and Senators on the Commission as they would obviously carry more weight with Parliament.<sup>2)</sup> The Council's contention that its interests and those of the NAC were far from harmonious was ignored. In addition, the extensive activities of the NAC in connection with the Trust were used as a pistol to point at the heads of land-hungry rural members, mainly the chiefs, with the result that motions demanding the abolition of the NRC both in 1937 and 1939 found no support in that quarter.

A great deal of the Commission's work consisted of persuading White farmers to withdraw their demands for the excision of their land from the 'released areas'. If - as had been promised in Parliament in 1936 - the claims of those who wished to have their farms excised were upheld, then the Commission would have to determine what land should be substituted. Actual purchases were made by the Land Board, but the NAC was responsible for the allocation of such purchases, and for the propitiation of White farmers.<sup>3)</sup> This was one of the main reasons why, initially at any rate, the Council was divided on the subject of the NAC. In addition, urban members obviously tended to be better educated, have a greater degree of political sophistication and to have less to lose.

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1. Report of the Native Affairs Commission, 1921, para. 1.  
 2. NRC Verbatim Reports, First Session, December 1937, p. 35.  
 3. Senate Hansard, 26 March 1942, cols. 1533-1552.

At the 1939 NRC session, Nicholls, who seemed to have elected himself chief NAC spokesman, both in Parliament and at Council meetings, again replied to criticisms, this time in a lengthy speech.<sup>1)</sup> He made it clear that he regarded the Commission as a political body with an important role to play in Native Affairs, and the NRC as something less. He condemned what he called "academic ideas of equality" and advised the Council to take what was offered to it, rather than allow itself to be led astray by "socialistic tendencies". The reaction of men like Thema, Mapikela, Jabavu and Godlo to this address was bitter. Smit's immediate ban on any discussion of Nicholls's speech was largely ignored as the Councillors expressed their resentment both of its content and of the fact that the government was far more likely to lend its ear to representations such as they had just heard than to any which they themselves might make. Godlo included a personal attack on Heaton Nicholls in his general indictment of the Commission, and Jabavu alleged that he had documentary evidence to the effect that it was entirely due to NAC support for the 1937 Native Laws Amendment Bill that Black opposition to the legislation failed.<sup>2)</sup> On all levels, then, from the personal to the political, the Council found itself at odds with the NAC.

Notwithstanding the courteous assurances of the chairman at NRC meetings, there is no evidence whatsoever that Smit went beyond the line of duty in referring its resolutions to the Ministers concerned. In spite of his numerous differences of opinion with the NAC, the NAD worked closely and co-operatively with it, and Smit's sympathies in the NRC/NAC dispute were obviously with the latter. He received a number of letters from private and public individuals, outlining their objections to the political character of the Commission's membership,

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1. NRC Verbatim Reports, November 1939, p. 157.

2. Ibid., 2 December 1939, p. 249.

but gave no indication of his own feelings on the matter. In 1941, Senator Malcomess, one of the Native Representatives, wrote a long letter to Smit on the subject of the NAC in which Black and White objections to the Commission were summarized.<sup>1)</sup> The Commission, he said, was "a nuisance", mainly because it brought political pressure to bear on the Native Affairs Department: NAC members should not have to give up half their time to parliamentary duties. The main bone of contention, again, seems to have been Heaton Nicholls. Malcomess pointed out that there was no co-operation between the Native Representatives and the NAC, and that the former resented being referred to as "those friends of the Natives" by Nicholls in the Senate.<sup>2)</sup>

A similar letter from Colonel Stubbs, head of the 'Native Corps', referred to the NAC as a home for "political misfits" and stressed the need for a change in composition.<sup>3)</sup> Smit's acceptance of membership of the Commission in 1945, however, indicated his belief that the NAC still had a valuable function to fulfil despite the existence of the NRC - or, indeed, after so many years as chairman of that body, because of it.

After 1939 the NRC passed no further resolutions on the NAC and, except for adverse references at various points of debate, it did not again become an issue until 1944. The Council was far from united in its early opposition to the Commission, the war intervened and Nicholls went off to London as South African High Commissioner. Although the NRC was opposed in principle to Edgar Brooke's membership of the Commission in 1942, (he replaced Heaton Nicholls), he certainly had a moderating influence there. Indeed, his appointment suggests that

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1. Malcomess to Smit, 24 May 1941, Smit Papers, 12/41.
  2. Copy of a letter from Malcomess to Smuts, Ibid.
  3. Stubbs to Smit, 6 February 1943, Ibid. 3/43.

the mounting criticism of the NAC, both in Parliament and outside of it, had found its mark.

By 1944, internal divisions within the NRC had been so far overcome that no less than four independent motions demanding the abolition of the NAC were set down on the agenda. Introducing his own motion, Godlo was

... quite confident that times have changed and members of this Council have gained experience in regard to the working not only of this Council, but of the Native Affairs Commission. 1)

The cessation of Trust buying as well as the frequency with which land formerly designated 'released' had been excised by the NAC at the request of White farmers, may well have been the major contributing factor in overcoming the fears of rural members. There were others: Hansard was widely quoted and utterances such as 'Heathen' and 'Barbarians', frequently and incautiously made by NAC members, received vigorous objections.<sup>2)</sup> Mosaka quoted from the latest NAC Report:

As the emphasis towards urbanization grows, the threat to the existence of the gold mines by the drain on all their natural labour resources ... will be equalled only by the parlous state of European agriculture. 3)

and concluded, with some justification, that the "members of the Native Affairs Commission are the most reactionary members of Parliament."<sup>4)</sup> The NAC, at any rate, was not concerned to coat the segregation pill with its customary sugar. It might, in fact, in the light of this statement, have agreed with Thema when he said

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1. NRC Verbatim Reports, Seventh Session, 9-22 August 1944, p. 67.
  2. Ibid., p. 84.
  3. Ibid., p. 100.
  4. Ibid., p. 98.

This Land Act, this Urban Areas Act and all these other Acts ... are intended to control our labour so that the White man may grow rich by the sweat of our brows. 1)

Nicholls's defence of the Commission before the NRC was based largely on its activities in the field, and it seems clear that this was also the basis of Smit's support for the Commission. A great deal of NAC energy went into the propitiation of White farming interests which were reluctant either to allow their land to become part of the 'released areas' or to see the growth of large Black areas on territory immediately adjacent to their own. Thema and Godlo had declared that the NRC was as capable of handling these matters as the NAC,<sup>2)</sup> but it is doubtful whether an all Black body would have met with any success at all. On the other hand, the Commission's duties did not stop with the acquisition of the land. All Trust lands, once bought and settled, automatically became 'betterment areas' and were subject to regular inspections by the NAC. Conflict and suspicion were rife among the Trustees and those who occupied the land so acquired.<sup>3)</sup> In many cases the Commission took issue with the NAD on the question of these Trust Lands, even going so far as to accuse the Department, from time to time, of 'wasting' Trust money on agricultural education.<sup>4)</sup> Strictures on cattle culling and dipping might have met with greater success had they been expounded by Black Councillors rather than White Commissioners.

The clue to Smit's attitude to the NRC lies in his original statement that 'you are not here to discuss matters of policy.'<sup>5)</sup> He hoped to find the Council ready with suggestions which might ease the path

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1. Ibid., p. 40.
  2. Ibid., Third Session, December 1939, p. 31.
  3. Apart from some strong statements by Councillors at the 1944 Session on this subject, see Monica Wilson's section on 'Land Tenure' in M.E. Elton Mills and M. Wilson (eds) *Keiskammahoek Rural Survey*, (Pietermaritzburg: Shooter & Shuter, 1952) for criticisms of this aspect of Trust tenure.
  4. Senate Hansard, 23 April 1941, cols. 1628-1635.
  5. NRC Verbatim Reports, December, 1937.

of administration and hasten that 'development' to which his administrative energy was applied. Instead, by 1943, he regarded his chairmanship of it as nothing more than a "very trying" part of his administrative duties. With the Council becoming more and more frustrated in the face of administrative inscrutability, Smit complained bitterly to his wife of the "urban element" and the "educated Native" whom he saw as having "only one ambition ... the removal of class distinctions and the desire for political equality."<sup>1)</sup> Although the debating record for 1943 was moderate and restrained in comparison with that of the following year, and Smit himself did not come under fire, the Council had clearly expected great changes as a result of the Smit Report and was not as easily satisfied, as Smit had appeared to be, with the minor changes which had followed its publication.

Expecting gratitude for the impressive list of achievements in the various fields of Native Administration and welfare with which the Council was confronted at the beginning of every session, he found, instead, that the "educated Native does not say thank you for anything else we might do for him and his people."<sup>2)</sup> In the same vein, however, Smit also complained of the imminent return to Pretoria of Van der Byl, whom he had been "breaking in" since Reitz's departure for England at the end of 1942. He appeared to have enjoyed a sense of peace and relief in his absence and the Minister's return, he said, would only add "to my work and worry."<sup>3)</sup> The substance of this lament, in effect, amounted to a desire to administer in peace, without political interference from either Councillors or government Ministers - both of whom were an equal nuisance and whose activities merely

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1. Smit to Mrs. Smit, 16 May 1943, Smit Papers 14/43.

2. Ibid.

3. Ibid., 21 May 1943, 16/43.

added to the burdens of administration. Whatever the drawbacks of the Native Affairs Commission, it was at least operating in a sphere which was within his official frame of reference.

There is plenty of evidence in the Smit Papers that Smit went out of his way to excite government attention on matters which he regarded as meriting it. In some instances, Smit's activities were directly responsible for policy decisions or for government intervention and action. There is no evidence, however, that he ever made use of his obvious influence in Native Affairs by using the proceedings of the NRC as a lever for reform. In April 1941, Senator Rheinallt Jones proposed a motion in the Senate which made this lack quite clear:

"That this house, having had before it the resolutions passed by the NRC at its meetings in November and December 1940, has noted them, and commends them to the careful consideration of the government."<sup>1)</sup>

While Jones was careful to praise the Secretary for Native Affairs and his Department for "the manner in which they have gone out of their way to make the Council a success ...",<sup>2)</sup> he did not say how this was being done. Instead, the Minister was condemned for allowing the passage of Bills such as the Workmens' Compensation, Miners' Phthisis and others "concerning Natives," without prior consultation with the Council, and for not bringing Council resolutions "more forcibly" before either House of Parliament.

Yet, when Smit felt that the municipalities needed bringing into line with the Urban Areas legislation, he made his feelings known and something was done. When he decided that the Pass Laws were becoming a burden on the Administration, he collaborated with Reitz and something was done. He could not, sitting year after year in the chair at Council meetings, have failed to realize that nothing was being done.

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1. Senate Hansard, 23 April 1941, col. 1619.  
2. Ibid., col. 1623.

He certainly noted the changing temper of Council resolutions, but as he attributed these to the 'urban element' in the NRC he may well have failed to mark the growing unity within the Council. It seems that Smit judged the NRC on its administrative usefulness, found it lacking and confined himself, thereafter, to his duty. Edgar Brookes, who worked closely with Smit on the NAC in later years, and attended many of the Council meetings in his capacity both as a Native Representative and as a Commissioner, has given it as his opinion that Smit was quite uncharacteristically lethargic when it came to bringing NRC resolutions 'more forcibly' to the attention of the Ministers concerned.<sup>1)</sup>

When the Council met in August 1946, the Rand gold strikes were in full swing and the trials of those alleged to have instigated the riots at Lovedale were about to begin. For the past five years the war had featured prominently in NRC debates. Notwithstanding the considerable progress made in such fields as Native Education and Social Welfare, Smit had used it as a mitigatory plea for the stagnation in land purchasing, housing, land reclamation and other matters. In the early war years, the measures and the political climate described earlier had gone a long way towards raising hopes and expectations. In December 1943, the Council heard Hofmeyr, in the absence of Van der Byl who was visiting troops in North Africa, make his opening address. His words, coming so soon after Smit's own unfavourable comments on segregation, were encouraging:

I have never accepted the policy of the development of the African 2) 'on his own lines', in so far as that was merely a cloak for keeping him in what was regarded as being his place - a place of stagnation and servility. 3)

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1. Interview, Pietermaritzburg, June 1977.
  2. The replacement of 'Native' by 'African' is noticeable in all official speeches from about 1942 onwards.
  3. 'Notes of Hofmeyr 's opening speech to the NRC', SAIRR Papers, B99(k).

It was with growing scepticism though, in the disillusioned aftermath of the Smit Report and the Pass Law experiment, with controlling legislation growing instead of diminishing, that Councillors looked forward to the promised new post-war world. The contrast between the moderation displayed in the recommendations of a Recess Committee of the NRC which drew up plans for the reconstruction of the Council in 1943 (see p.100) and its 1946 demands is an effective indication of the extent of this disillusionment. By 1944, a great many Councillors were pinning their faith on the ANC and its anti Pass Law campaign rather than on the unproductive constitutional channels through which their resolutions had been so ineffectual.

Xuma's address to the emergency conference of the Anti-Pass Council in 1945 made it clear that Black conciliar bodies were moving more closely into alignment with ANC policies. He cited the Bunga resolutions of April 1944 and the August 1944 NRC resolutions - in which the Council moved for the abolition of the Pass Laws and expressed support for the ANC campaign as co-operative measures, indicating an extensive degree of collaboration between the government established bodies and the ANC.<sup>1)</sup> Not only were several Councillors also members of the ANC, but most of them held prominent positions in the latter organization. Thema was the Congress Speaker, Mathews, Godlo, Champion and Sililo were its advisers on Education, Locations, Lands and Social Welfare respectively, while Dube was a member of the Natal Native Congress and Mapikela of the Orange Free State African Congress.<sup>2)</sup> Godlo, in fact, had been a member of the Committee which had drawn up the pamphlet African Claims, and it was Mathews who wrote to Xuma at the end of 1945, reminding him that the peace settlement was in progress

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1. Text of Xuma's speech, 29 April 1945, A.B. Xuma Papers, 450429a.  
 2. List of members dated 10 August 1945, Ibid., 450810.

and urging him to organize a deputation to London. His words, incidentally, provide some indication of the extent of Heaton Nicholls's notoriety among those South Africans in whose "interests" he had allegedly been employed for nearly ten years: "We must stike a blow for freedom before Heaton Nicholls does us irreparable harm in London. He is representing South Africa at the Council of Foreign Ministers."<sup>1)</sup>

In July 1946, circular letters were sent from the ANC offices to each member of the Natives Representatives Council. They contained a brief outline of the alleged failure of the 1936 "segregation experiment" and called on the Council to support a motion of adjournment at its next meeting unless "the government accepts the appeal of the Africans" for certain legislative amendments. The letter ended with a remark calculated to touch the raw nerve of an already frustrated body: "We feel that the Council has been made a toy and the dignity of our people been assailed."<sup>2)</sup> On the evidence then, the Council's subsequent adjournment was a calculated move, made at the behest of the African National Congress and not, as Margaret Ballinger subsequently alleged, a "spontaneous decision, begotten of the circumstances arising out of the mineworker strike and the government's handling of the position both on the Reef and in the Council."<sup>3)</sup> The agenda for the 1946 Session, which Mrs. Ballinger saw as evidence of the "explosive temper" of the Council, corroborates that of the Xuma Papers. The motions were strongly worded and segregation itself, as well as the Pass Laws, was at issue. The proceedings of the Council, however, its unprecedented unanimity and the background against which it decided to adjourn are in themselves

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1. Matthews to Xuma, 14 September 1945, A.B. Xuma Papers, 450914.
  2. 26 July 1946, Ibid., 460726.
  3. Ballinger to the Native Representatives, 22 August 1946, Ballinger Papers A410 B2 (q). This allegation is repeated in Margaret Ballinger, From Union to Apartheid: a Trek to Isolation, (Cape Town: Juta, 1969) p.193, when she says "Thus, without previous intention, and unorganized, the Council had come to a deadlock."

sufficient proof that the frustration was real and the anger not simulated.

In his opening address to the Council, Major F. Rodseth, acting chairman in the absence of Mears, who was assisting in the 'handling' of the strike, not only omitted all reference to the prevailing crises, but refused to allow Councillors to discuss either of these matters before dealing with the agenda.<sup>1)</sup> From a motion condemning the "wanton shooting" by police on the Rand, and demanding the immediate recognition of Trade Unions, the Council moved angrily on to attack what it considered to be the root of all present evil - the segregation policy itself. These were no parrot speeches, nor was there the slightest evidence of division or coercion in conciliar ranks. The Council was united in its support for Moroka's adjournment motion<sup>2)</sup> and the debate which ensued ranged over the length and breadth of the segregation policy since its official inception in 1936. There were no quarrels with Mosaka's statement that a review of the ten years since the start of the "great experiment of segregation" had led the Council to the unanimous conclusion that the "experiment has been a dismal failure."<sup>3)</sup> (Mosaka, moreover, was not a member of the ANC). The following day, after Rodseth had refused to allow any further debate on the motion, it was carried unanimously and the Council adjourned to await the effects of its bombshell in the quarter for which it was intended.

The reactions of various parts of the Native Affairs Department, from its Minister to the NAC, go a long way towards explaining why the Council had reached the point where it felt some sort of drastic action was needed. Piet van der Byl, Minister since 1943, decided that the NRC had "gone on strike" because of "outside agitation" and troublemaking

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1. NRC Verbatim Reports, August 1946.
  2. Ibid., "This Council having since its inception brought to the notice of the government the reactionary character of the Union Native Policy of Segregation in all its ramifications, deprecates the government's continuation of a post-war policy of Facism which is the antithesis and negation of the letter and the spirit of the Atlantic Charter and the United Nations Charter."
  3. Ibid., p. 36.

influences.<sup>1)</sup> In this, of course, he was partly right, but the assumption was based on his unwillingness to look beyond the immediate political pressures to the total failure of the Council in the role which had been allotted it in 1936. Gordon Mears may have been nearer the mark in his assessment: that the NRC was taking advantage of Smuts's "mauling" at UNO to create embarrassment at home and achieve some of its objects through the new medium which it perceived in international censure.<sup>2)</sup> Neither really recognized the extent of the frustration which ten years of fruitless talk had created. The Council had failed in every respect of its original constitution. Not only was it not consulted on all legislation appertaining, even marginally, to Black interests, but its recommendations were directed into the same cul de sac every year. The NAC, ardently segregationist as half of it was, also failed to take the point. Indeed, from this moment until May 1947, the Commission played a disproportionate part in the attempt to deal with the problems of the Native Representative Council.

The proposals which Smuts outlined to Councillors in May 1947 were based on a memorandum prepared by Mears and substantially altered by Smit. It was also undoubtedly due to Edgar Brookes that Hofmeyer unbent so far as to address the Council in November 1946, albeit in a tone which the Senator deplored and which led him to regret his efforts in that direction.<sup>3)</sup> Early in September 1946, Brookes wrote to his colleagues on the NAC, stressing the urgency of the NRC action and recommending that every effort should be made to meet the demands of the Council with tact and consideration and to persuade the government to have meaningful concessions to offer at the November Session, rather than encourage it to "stand on its dignity."<sup>4)</sup>

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1. P. Van der Byl, The Shadows Lengthen, (Cape Town: Timmins, 1973), p. 12.
  2. Ibid., and in an interview, Cape Town, March 1977.
  3. Paton, Hofmeyr, pp. 437-38; Brookes to Hofmeyr, 9 September 1946 and 22 October 1946, Hofmeyr Papers, Dd.
  4. 2 September 1946, Smit Papers, 29/46.

The Commission, however, was evidently standing on its own dignity, and its tone, when it met to consider the problem at the end of September, was anything but conciliatory. Smit himself took the lead in proposing that the government treat both the motion and the debate as 'insulting', and that it should simply refuse to reply to the motion on that ground. To reply to such a motion, he contended, would result in a complete loss of face for authority, and this would "react detrimentally on our Native Administration."<sup>1)</sup> With van der Merwe supporting him and asserting that the "Native mind" would suffer untold detrimental effects "if they do something wrong and are not made to apologize" and that on no account should the government "show weakness",<sup>2)</sup> Smit's motion easily carried the day over that of Brookes, who was still trying to persuade the Commission of the necessity for the Prime Minister or his deputy to address the Council at its next Session.

Once again, Smit's seemingly inexplicable attitude has its roots in his preoccupation with administrative affairs. Never so happy as when exchanging compliments and blankets with a group of tribal dignitaries, or opening yet another Black school, secure in the knowledge that his consistent hard work was receiving the rewards it merited, he found it hard to swallow the slighting manner in which those efforts had been dismissed in the last NRC debate. He had complained to his wife earlier that the attitude of the Council "savours of ingratitude" and it was this, evidently, which moved him to add to his 'no reply' motion the following rider:

In view of the statement made by members of the Council and the statement published in the press by Professor Matthews belittling the benefits which have been conferred upon the Native People by the government during recent years, an early

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1. Notes of discussion by the NAC in regard to the NRC, 27 September 1946, Smit Papers, 31/46.
  2. Ibid.

opportunity should be taken by the government of informing the general public of all that has been done for the Native People of the Union since the inception of the Council. 1)

Certainly, during his membership of the NAD, Smit could claim to have done a great deal "for the Native people" - particularly after Hofmeyr took over the portfolio of Finance. As a member of the NAC, however, he was part of a body which could, and did, lay claim to a part in policy making, and it is in this context that his action - or inaction, his failure to support Brookes and to take advantage of an opportunity to put into practice the ideas with which liberal thinkers had long credited him, is curious. It is, however, consistent. His concern was with administrative development and his fear, so far as the Council's adjournment was concerned, was for the effects it might have on this development.

Smit's attitude was also partly emotional: he had been a conscientious administrator and the Council's attitude towards some of the improvements wrought during his office probably rankled more than its action. His stand was not without its political implications either. He had never been enthusiastic about either the Natives Representatives Council or the Native Representatives.<sup>2)</sup> He had, during the war years, spoken out publicly against segregation, (see p. 40) and his experiences at the United Nations Conference in 1945 had only served to strengthen his convictions against it. The attitude of the Native Representatives provides an interesting contrast. "The decision of the Council," said Margaret Ballinger in a letter to her colleagues, "... concerns us intimately. Implicit in it is the repudiation of the whole representation

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1. Ibid.

2. Smit to H.C. Lugg, CNC Pietermaritzburg, 11 November 1937, Smit Papers, 18/37. The gist of this letter was to the effect that the NAD would brook no interference by the Native Representatives, and Brookes was to be informed of this attitude forthwith.

embodied in the 1936 Act under which we hold our seats."<sup>1)</sup> This was clearly an understatement: the Council, during the course of debate, had quite explicitly rejected the segregation structure. Mrs. Ballinger went on to say that

The African people and their leaders have not yet come to the point of feeling that the Act has served their purpose and should now be thrown overboard 2)

and, working from this rather arbitrary premise, convinced that the 1936 representative structure was better than the lack of any representation at all, which they feared would result if the Council were allowed to collapse, the Native Representatives devoted their efforts to salvaging what was left of it. Smit was quite clearly unconcerned about its threatened demise.

Despite opposition from the NAC, Hofmeyr, in Smuts's absence, personally opened the November Session of the NRC, with Van der Byl as well as the entire Commission in attendance. His speech amounted to very little more than a recital of the impressive progress made in education and welfare, and an appeal for the 'co-operation' of the Council. While he did refer to the proposed legislation to provide for the limited recognition of Black Trade Unions, outside the structure of the Industrial Conciliation Act and exclusive of mineworkers, his speech contained no further indication of what Native Policy might promise for the future. This sort of trade union legislation had been on the cards since the publication of the Smit Report in any event, and was clearly not a sympathetic response to the Council's action, although the latter might have hastened its drafting. Hofmeyr also condemned the "violence" of the discussion at the previous NRC Session

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1. 22 August 1946, Ballinger Papers, A410 B2(q).  
2. Ibid.

Very similar in tone and content to the kind of address which the NRC had been wont to hear from the chair throughout its existence, there was too much repetition about this speech and none of the political assurances which the adjournment motion had called for. It was not the kind of speech which Edgar Brookes had urged Hofmeyr to make, and it was certainly not what the Council wanted to hear.<sup>1)</sup> The following day, with Mears in the chair and everyone else but Brookes conspicuously absent, the Councillors reiterated their inability to co-operate with a government "which does all the operating while we do all the co-ing."<sup>2)</sup> They called on the government to offer a "more reassuring" reply to their original motion and assembled to hear Hofmeyr's refusal the next day. The Council's reaction was an immediate motion of adjournment, though rather more pragmatically couched than the last one:

Since its inception this Council has loyally co-operated with the government and would continue to do so as long as it is not expected ... to sacrifice in the process the legitimate rights and interests of the African people. 3)

It retired, after Matthews had put in a final plea for the "new South Africa" which the war had seemed to promise.

On 11 February 1947, the NAC, on Smuts's instructions, rather grudgingly got down to the business of propitiating the NRC. Its deliberations provide a clear indication of the degree to which some of the members of the government's chief advisory body on Native Affairs were out of touch with political developments. In 1943, the Council had appointed a Recess Committee which drew up a memorandum

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1. Brooks to Hofmeyr, 22 October 1946, Hofmeyr Papers. He warned him that a "mere recapitulation of what the government has done will be worse than useless for that audience and at that time."
  2. NRC Verbatim Reports, 26th November 1946, p. 46.
  3. Ibid.

outlining proposals for the reconstitution of the NRC. For the first time, the Commission now considered these proposals seriously, although their moderation made it plain that they were long out of date. The Commission, moreover, was not prepared to accede to all the proposals. It rejected the Recess Committee's suggestion that all adult males should be free to elect Councillors, as well as its demand for an increase of seven in the number of Native Representatives in the House of Assembly. It was prepared to agree to the Committee's suggestion that the number of electoral areas be increased, though where the NRC had advocated six, the NAC was only prepared to concede five. It rejected absolutely the Committee's plea for legislative powers for the Council on topics affecting Blacks, along the lines of the 1926 Union Native Council Bill, and said that it would have to consider the question of Provincial Council representation.

Smit's own attitude towards the Council was clarified to some extent, by his willingness to accept all of the 1943 Committee's proposals. They would have the effect of involving the Council far more seriously in the administrative process, and, with the NRC no longer a purely advisory body, he thought there was a chance that the Council might yet fulfil a valuable administrative function.<sup>1)</sup>

Also in February, Mears produced two memoranda on 'A Progressive Programme for Native Administration' and, 'Progressive Native Policy' on which Smit set to work with his pencil. The NRC, according to these memos, was henceforth to be the pinnacle of a much broader, more

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1. Notes of discussions on the Recess Committee's proposals, Smit Papers, 4/47.

representative and more political Council system. It was proposed to abolish the six White officials on the Council as well as the four nominated members, and to increase the number of elected members to fifty, with an elected Black chairman. This was a reversion to a Council the size of that allowed for in Hertzog's Union Native Council Bill - to which Smuts had objected and which the Recess Committee had recommended in 1943. It was also proposed to add to the advisory powers of the Council by giving it the power of subsidiary legislation for Native Areas in such matters affecting Natives as the Governor General might approve, and to vest it in such proportion of the amount of the general tax as Parliament might decide, as well as the revenues of the General and Local Councils. Smit rejected the complicated electoral system proposed by Mears and substituted a ward system, with an electorate consisting of all adult general taxpayers.<sup>1)</sup>

In March Smit presented Mears with his notes, stating that it was "desirable to make the Council a more effective instrument in Native Administration than has been possible under its present constitution."<sup>2)</sup> Most of the changes he had made to Mears's original memorandum were minor, and made in the interests of smooth administration. Some were rather more important: while he conceded that the NRC would function better with an elected Black chairman, he objected to this idea for Local and General Councils. He thought that it would hamper the District Commissioners and Magistrates in the execution of their duties, as they would no longer be closely associated with the Councils which would be working independently of them. He also objected to the powers of taxation which it was proposed to confer on the NRC, on the grounds that this would cause resentment at local levels and

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1. Memoranda, 15 February 1947, Smit Papers, 5/47.  
2. Notes on Memoranda, Ibid., 9/47.

affect the smooth running of the Local and General Councils. This was an astute point and it was probably the reason why Smuts neglected to include this aspect of the proposed changes when he offered the rest of them to Councillors in May.

Both Smit and Mears were agreed that the Location Advisory Boards should continue to function under the terms of the 1945 Urban Areas Consolidation Act, and that the Union Advisory Boards Congress be granted official status. The latter, which had been operating unofficially since 1929, was to have twenty members on the reconstituted NRC, and to represent to the government, through the Council, the views of 'urbanized natives'.<sup>1)</sup> Mears's suggestion of a rural Land Board was rejected by Smit on the grounds that this would only be "a source of nuisance to the administration."<sup>2)</sup> Later that month, a letter to Mears stressed the urgency of dealing <sup>with</sup> "existing discontent before it becomes disaffection."<sup>3)</sup> Smit took the opportunity, again, of reiterating his belief that Blacks should experience the responsibility and "odium" of administrative duties, and, through more active participation, become aware of the difficulties involved in them. He also suggested that Blacks be given an active share in Trust developments "to make them accept some of the responsibility." There is a note on Smit's copy of this letter which makes it clear that all aspects of the plans were discussed with Hofmeyr. The NAC, significantly, was not consulted as a group until Van der Byl presented them with the substance of the proposed developments early in May.

In a note of April 1947, on the subject of Native Representation, Smit showed his impatience with the salvage operation on the segregation

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1. Memorandum of 15 February 1947, Smit Papers, 5/47.
  2. Smit to Mears, 8 March 1947, Ibid., 9/47.
  3. Smit to Mears, 24 March 1947, Ibid., 10/47.

policy. He said, plainly enough, "We should do our utmost to abolish discriminatory legislation and to prevent such legislation from being placed on the statute book."<sup>1)</sup> Appended to the memorandum on the proposed changes in the Council system, this note finally found its way to the Prime Minister's office. Both memoranda were approved by Smuts towards the end of April, but Smit's addendum elicited no comment, although he must have struck the right chord when he referred the Prime Minister specifically to UN disapproval as an urgent incentive for change.<sup>2)</sup> Himself a founding member of the United Nations, Smit was prompted by adverse criticism of the Union to write several letters to Van der Byl, urging the Minister to stress the importance of urban policy to Smuts. Although the Fagan Commission had already begun its investigations, Smit was very much aware, by this stage, that time was running out.

On 2 May 1947, Van der Byl, at the request of Mears and Smit, placed the revised memoranda on Native Councils, in which all Smit's alterations had been included, before a special meeting of the NAC. At the same time, he presented the Commission with a draft bill for the registration and regulation of Native Trade Unions, the other half of the carrot which Smuts proposed to dangle before Councillors later in the month. The Commission cautiously gave its approval, "in broad principle", to the Council memoranda.<sup>3)</sup>

It could hardly have done anything else. The projected changes amounted to little more than a change in the foundations on which the Council was built. It could, under the revised constitution,

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1. Additional Note on Native Representation, 5 April 1947, Ibid., 10/47.
  2. 24 March 1947, Smit Papers, 12/47.
  3. Minutes of a special meeting of the NAC, Cape Town, 2 May 1947, Ibid., 20/47.

truly lay claim to being a representative body, but that its representations were going to meet with any more success than they had hitherto done, was doubtful.

The notes of the NAC discussion on the draft Trade Union bill provide a useful comment on the polarization in political opinion which had become concrete towards the end of the war. Half the Commission jibbed even at the careful draft legislation, while the other half thought that the legislation did not go nearly far enough. As early as 1942 Black leaders had made it clear that "half-way motions" on the question of Trade Union recognition would not answer<sup>1)</sup> - a fact of which both Brookes and Smit were fully aware. Their attempts to demonstrate the futility of the proposed legislation, however, and Brookes's plea for a complete overhaul of the Industrial Conciliation Act (under the terms of which the word 'employee' was so defined as to exclude the majority of Black workers from its scope) met with no success.

Five days after this meeting, Smuts met Councillors Thema, Mosaka, Poto, Dinizulu and Maserumule against Van der Byl's advice. In a conciliatory and sympathetic address he offered them the broad outline of the projected changes as a "bone to chew on".<sup>2)</sup> While the Councillors went off to consider what had been offered them, and to report back to their colleagues in the Council and in Congress, Smit and Mears polished their memoranda into a final draft.

In September, Smit, Van der Byl, Mears, Payn and Brookes met Smuts in the Prime Minister's office where official approval was bestowed on the draft. The NAC was instructed by Smuts to draw up a summary for publication in the press, while he himself proposed to send a

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1. Xuma to Smit, 3 June 1942, A.B. Xuma Papers, 420603a.
  2. Notes of interview, 8 May 1947, Smit Papers, 23/47.

circular letter to each Councillor in which a full description of the changes would be included. Brookes, Rodseth and Mears prepared a draft of this letter - to which Van der Byl took instant exception. In a letter to Smuts on 22 September he urged the Prime Minister not to sign the letters personally. At the most, he said, they should be signed by the Secretary for Native Affairs and the "wording should certainly not be so ingratiating."<sup>1)</sup> Brookes knew how to strike the right chords however, he persuaded Smuts that such a letter would impress South African critics at UNO and the day was won.

Councillors received their personal copies of the Prime Minister's letter in October, at the same time as the 'tentative proposals' were released to the press. For the first time, the Fagan Commission was officially mentioned,<sup>2)</sup> and at the end of 1947, the political atmosphere in the Union was gravid with the load of pending events. The Native Laws Commission had still to issue its report, the substance of which would affect the NRC changes. (The scope of the Union Advisory Boards Congress, for instance, was to depend on the Commission's recommendations at Fagan's own suggestion.<sup>3)</sup> In his September meeting with the NAC Smuts had decided to wait for the November NRC elections before summoning Councillors to discuss changes in the NRC constitution, and there was, of course, the impending general election.

In the event, the NRC met again only twice. Although its reaction to Smuts's proposals had been largely unfavourable, and an election

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1. Van der Byl to Smuts, 22 September 1947, Ibid., 63/47.
  2. Both Hofmeyr and Smuts had thus far failed to use the appointment of the Fagan Commission, in their dealings with the NRC, as an indication of impending change. It was Smit, in May 1947, who strongly advised them to tell the Council that any sympathetic suggestions in the Report would receive immediate attention. (Memorandum on Native Administration, 4 May 1947, Smit Papers, 22. 1/47).
  3. Fagan to Mears, 23 August 1947, Ibid., 45/47.

boycott had been mooted, Councillors, for the most part, had allowed themselves to stand for re-election - a sign, as Matthews said later, of "a readiness on the part of the Council to meet the government in order to consider any statement placed before it."<sup>1)</sup> Mears failed to persuade Jansen, the Nationalist Minister of Native Affairs, to address the Council in January 1949<sup>2)</sup> and he himself had the task of informing the NRC at this Session that its services would not be required by the new government. In 1950, the Council was formally dissolved.

Smit, now a member of the Opposition and his party's chief spokesman on Native Affairs, did not extend himself in debate when the question of the abolition of the NRC was raised in the House, and clearly did not regard its passing as a matter for mourning. The Council had failed, he said later, because it was "purely advisory,"<sup>3)</sup> a statement with which it is hard to quarrel. It does seem, though, that if Smit had exerted himself to help NRC resolutions get off the ground and at least into the public eye, if not onto the statute book, something more might have been achieved by them. He did not do so, however, and while an attempt has been made in this chapter to account for his apparently ambivalent attitude towards the NRC, both the explanation and Smit's behaviour remain unsatisfactory. Further conjecture would be purely speculative and it seems better to leave it as a paradoxical and anomalous aspect of behaviour in a man whose ideas and actions were usually clear cut and direct.

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1. Matthews to Mears, 8 March 1950, Ibid., 8/50.
  2. G. Mears interviewed in Cape Town, March 1977.
  3. Smit to Gray Hughes, 29 August 1954, Smit Papers, 32154.

## CHAPTER V

THE NEW RECLAMATION SCHEME

Limitation of stock to the carrying capacity of the land is still ... the pivot on which improvement of conditions in the Reserves must turn.

(Review of the Activities of the Native Affairs Department, 1944-45, p. 2)

It is not a question of limitation of stock so much as a question of limitation of land.

(Councillor Thema, August 1944, NRC Verbatim Reports, Seventh Session, 111:312)

In June 1944 the Minister of Native Affairs announced in Parliament that the government proposed to embark on a vast 'New Reclamation Scheme' in the Native Reserves. The scheme was conceived against the background of the Anti-Pass Law campaign, intermittent squatter movements, the labour influx into the urban areas and the failure of the measures designed to control it. It was one which Smit, out of real concern for the poverty which he had encountered on numerous tours of the rural areas, had long been advocating; from the point of view of the administration, the move was long overdue. As far as the government was concerned, the decision to persuade Parliament to vote the necessary funds for an undertaking on this scale was viewed from an entirely different perspective.

As early as 1932 the Holloway Commission Report had warned that poor conditions in the Reserves posed an urgent threat to the position of South African Whites.<sup>1)</sup> By 1944, the paralyzing drought in the rural areas and the urban upheavals of the early war years had

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1. Report of the Native Economic Commission, UG22-1932, p. 12.

produced tangible evidence of the truth of this prophecy. The 'reclamation' of the reserves, then, represented also an attempt to strengthen the basis of the existing segregation structure, whose days, "evil" or not, were quite clearly numbered.

Between 1936 and May 1940, when, for administrative reasons, a temporary halt was called in the purchasing of more land, Parliament had voted a total of £6,000,000 to the Trust. Of this, by February 1942, £4,627,371 had been used to buy 1,515,863 morgen of 'released' land.<sup>1)</sup> In August 1936 1,056,415 morgen of Crown Land had been vested in the Trust, all of which, according to Smit, "carried a sufficiently large number of Natives" and "cannot be regarded as available for the accommodation of landless Natives or of the surplus population from congested areas."<sup>2)</sup> Of the actual 'released' areas, many were already crowded with squatters and Smit warned that "unless special measures are adopted to increase their carrying capacity ... they will not prove of any great assistance in the matter of settling dispossessed or landless Natives."<sup>3)</sup> With the same disconcerting frankness which embarrassed his superiors from time to time, he referred to the existing 10,410,210 morgen comprising the 'Native areas' as "congested, denuded, over-stocked, eroded and, for the most part, in a deplorable condition."<sup>4)</sup>

As far as the quality of the released areas was concerned, there were a number of them, in 1936, which possessed a climate and soil that were agriculturally favourable. Ten years later, when Edward Roux surveyed them for the Race Relations Handbook, he concluded

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1. Memorandum on Policy and Activities of the Native Affairs Department, 1942.
  2. White Paper presented to Parliament by the Secretary for Native Affairs, 1936, p. 6.
  3. Ibid., p. 6.
  4. Ibid., p. 2.

that most of them, especially those in the Northern Cape and Northern Transvaal, consisted of poor land with a low rainfall.<sup>1)</sup> The explanation for this change lies in the activities of the Native Affairs Commission which, by virtue of its largely political constitution after 1939, apparently went out of its way to soothe the ruffled feelings of the rural White electorate.

It is clear from all the NAC Reports before 1942 that "most of the time of the Commission was devoted to matters relating to the excision and acquisition of land."<sup>2)</sup> Although annexures containing schedules of land purchased by the Trust were normally attached to these reports, they did not include details of excised land. In an issue of Forum, in August 1941, Senator Heaton Nicholls was moved to describe the bulk of the Reserves in terms of their "many streams", "fertile valleys", "luscious veld" and "rich soils". The Commission, however, of which Nicholls was a member, had excised a good many of these places from the released areas in accordance with the provisions of Clause 2 of the 1936 Trust and Land Act. At the time Nicholls was writing, the Elands River, Leonbye, Letsitele and Pongola areas had all been excised at the request of White landowners, and a Race Relations paper, issued the following month, was able, with some effect, to point out that

The released areas as they stand today are very much less favourable to the Africans than they were when the Natives Trust and Land Act was passed in 1936 ... 3)

For Smit, once the 1936 legislation had become an irrevocable part of the system which it was his duty to administer, reclamation and development of Reserve land had become a prime consideration.

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1. "Land and Agriculture in the Reserves", Handbook, p. 175.
  2. Report of the Native Affairs Commission for 1937-38, UG54-1939, p. 1.
  3. J.D. Rheinallt Jones and Edith B. Jones. "Interpretations of Trusteeship: A Study in Native Land Policies." SAIRR Papers, September 1941, B62(c).

Stock limitation, "the pivot on which improvement of conditions in the Reserves must turn",<sup>1)</sup> was the consistently dominating theme of his numerous addresses to rural meetings, at official functions and in the Natives Representatives Council. In 1943, the land policy of the government was subjected to a particularly virulent attack by the NRC with the result that, the following year, Van der Byl was persuaded to attend both Sessions, where he made a "special effort to obtain the active support of the Natives Representative Council in influencing the minds of the Native people towards acceptance of this essential step."<sup>2)</sup>

The Council, whose attacks centred as much on Departmental activities in the field as on the need for the provision of more land and the wartime cessation of land buying, were, not surprisingly, unsympathetic. The debate ranged from criticism of the Native Commissioners, described as "little kings in their own locality"<sup>3)</sup> to a demand for the repeal of the Land Act.<sup>4)</sup> Their case was summed up by Godlo, who said "... it is not a question of overstocking, it is a question of overpopulation,"<sup>5)</sup> and there was a great deal, besides, about the "conditions of economic slavery" for which the Land Act was allegedly responsible.<sup>6)</sup> "Though the case for limitation was carefully and sympathetically put ... Councillors were not prepared to give a definite lead in this matter" was the cautious administrative transcription of the antagonistic reception with which Departmental overtures had been greeted.<sup>7)</sup>

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1. Review of the Activities of the Native Affairs Department, 1944-5, p. 2.
  2. Ibid., p. 2.
  3. Councillor Thema, NRC Verbatim Reports, Seventh Session, 21 August 1944-5, p. 22.
  4. Councillor Mosaka, Ibid., p. 27.
  5. Ibid., p. 316.
  6. Ibid., pp. 27-41.
  7. Review of the Activities of the Native Affairs Department, 1944-5, p. 2.

The lead, although there is no actual evidence of this available, seems to have come from Smit himself: it was not, at any rate, until after he had taken over the Department, that the particular problem of stock limitation was tackled with any kind of system. Livestock Improvement Proclamation No. 31 of 1939 was purely an administrative affair, under which the 'Betterment' scheme was begun in an experimental way in the Ciskei and which, by 1944, had spread to over 170 areas. The scheme depended for its success on the co-operation of the Local and General Councils, which undertook to bear certain of the costs, and met with most success in the Transkei, where, in the Butterworth area, Department, Bunga and village authority worked hand in hand to demonstrate the beneficial effects of livestock limitation and rotational grazing.

Out of all 170 areas which had voluntarily opted to enter the scheme, however, Smit was able to cite only two instances in 1944 where local compliance and Departmental money and supervision had been fully successful.<sup>1)</sup> The other one, ironically, was Thaba Nchu in the Orange Free State, where Dr. Moroka, who was one of the most prominent critics of the government's land policy on the NRC, was also a leading member of the Reserve Board.

Despite the isolated, successful cases of 'Betterment', the scheme ultimately increased rather than reduced local conservatism and hostility towards Departmental attempts at agricultural improvement. Officials complained continuously that prejudice and suspicion were almost insuperable obstacles in the way of the 'educational programme' to which they were committed in the Reserves, but, as money, manpower and materials became scarcer after 1939, there

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1. Ibid.

was hardly any point in electing to join a scheme for which the administrative tools were lacking. In all, between 1939 and 1945, the Trust spent a total of £39,107 on 'Betterment', which continued to be officially designated as Livestock Improvement.<sup>1)</sup> Only a fraction of the number of proclaimed areas enjoyed the fruits of this expenditure though. Of the 53 areas in the Transkei for example, which opted for 'Betterment', 51, by 1944 were still waiting for the erection of the fences which would fulfil the Department's obligations in terms of the Proclamation.<sup>2)</sup>

"Seeing will be believing," said Smit optimistically in 1945, "and the movement will no doubt spread rapidly on its own merits."<sup>3)</sup> He based this belief on the knowledge that the materials, the lack of which had hitherto hampered the scheme, would be more readily available at the end of the war, and hence put the onus where it belonged - on the Department itself. His priorities, however, were quite clear:

Criticism has been levelled at the Native Affairs Department for releasing so many officers for military service, but it was felt that when the country was at war, it was our duty to make every possible effort to defeat the enemy. 4)

'Betterment', then, was to be given a second chance, in the hope that with the Department once more at full strength, it would be able to provide sufficient evidence of the advantages of stock limitation to produce the wholesale conversion of conservative stockowners for which it had been designed. It was to be its last chance however.

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1. South African Native Trust, Revenue and Expenditure Account, September 1939- March 1945.
  2. Review of the Activities of the Native Affairs Department, 1944-5, p. 3.
  3. Ibid.
  4. Statement of Policy made by Smit at a special session of the Ciskei General Council at Kingwilliamstown, 8 January 1945, Smit Papers, 2/95.

While all land acquired by the Trust was automatically proclaimed in terms of the Betterment proclamation it was clear by 1945 that overstocking in other areas was not going to remain voluntary and that compulsion, in the case of recalcitrance, would be speedily introduced.

The Department will continue to do its utmost to gain the goodwill of the people in this matter, but it must be made clear that the extension of livestock limitation must go hand in hand with the measures the government has in mind. 1)

The measures which the government had "in mind" differed little in kind from those which the Department had been undertaking for some time. The difference, in 1944, was in the scale on which they were to be carried out, the urgency with which they were now considered to be necessary, and the amount of money which was to be spent on them. They were to be planned on a long term basis and to be executed within a twelve year period. Before 1942, the Department had embarked on a number of ambitious schemes for the economic development of the existing Reserves and Locations in addition to its normal Trust duties of purchase and resettlement. These had, however, been sporadic, dependent on revenue surplus and unsystematic. They included irrigation schemes, on a fairly large scale, at the Tugela and Mooi River settlements in Natal and on the Olifants River in the Transvaal. Seventeen small irrigation schemes (from 50 to 600 acres), had also been established and plans for a major irrigation project in the Taungs Native Reserve were underway. ("The Native portion of the Vaal-Hartz irrigation scheme").<sup>2)</sup> All irrigable land under these projects was leased to Blacks and cultivated under the supervision of officers of the Trust.

Other Trust 'works' included the sinking of boreholes and the

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1. Review of the Activities of the Native Affairs Department, 1944-45, p. 2.
  2. Memorandum on Policy and Activities of the Native Affairs Department, 1942, p. 6.

maintenance of pumping plants, the construction of stock dams and wells, the improvement of springs, establishment and maintenance of bull camps and stock sales, chicken rearing centres and dipping tanks. In addition, the Trust "did everything in its power to educate the Native peasant population in improved methods of cultivation and field husbandry."<sup>1)</sup> It demarcated and maintained forest areas in consultation with the Department of Agriculture and Forestry, built roads and bridges, distributed fruit from Trust-maintained fruit orchards, organized the marketing of Trust-grown fruit and vegetables and carried out extensive anti-soil erosion works in the Reserves.<sup>2)</sup>

The grand total of Trust expenditure between 1936 and 1945 was £21,683,750, although land purchase and education accounted for more than half of this figure. The reports of the Industrial and Agricultural Requirements Commission were readily available however, with the breakdowns they contained of land and financial figures in which the disparity in expenditure between Black and White was clearly outlined. State expenditure on Black agriculture represented a tiny fraction of its expenditure on agriculture in the Union as a whole,<sup>3)</sup> and it was in this light that the Department's activities failed to impress the NRC.

Early in 1944, Dr. Hugh Bennett, Chief of the Soil Conservation Services in the United States, was invited to South Africa to advise the government on the development of the Reserves. After an extensive tour, he delighted Smit by urging the necessity for immediate action, at whatever cost to the country. It was thus with expert backing, that Smit was able to add to the other pressures in 1945 when he said "the

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1. Ibid., p. 7.

2. Up to February 1942 the Trust was responsible for the erection and maintenance of 1,300 pumping plants, 353 stock dams and about 100 wells. It had established 70 bull camps, 14 ram camps, 371 cattle tanks and 227 sheep tanks, besides being responsible for the maintenance and repair of some 1,171 dipping tanks. (Ibid).

3. In the ten year period 1931 to 1941, for example, the state had spent over £25,000,000 in direct assistance and subsidies to farmers. (3rd Interim Report of the Industrial and Agricultural Requirements Commission, UG40-41, para. 88).

Department is convinced that work on this scale is required to save the country from the imminent threat of the Native Reserves becoming sterile deserts."<sup>1)</sup> Even now Reserve conditions were not sufficiently attractive to prevent large numbers of Blacks from descending on the urban areas, so that the possible results of this prediction were alarming. In June, Smit wrote to an old colleague from the Department, with some satisfaction, that reclamation of the 'Native areas' was to be one of the main planks in the programme of post war reconstruction,<sup>2)</sup> while Van der Byl informed Parliament shortly afterwards that it was expected to finance this reclamation from general revenue.

In the latter half of 1944 Smit undertook extensive tours of the Reserves, including a ten day visit to the Caprivi Strip. Stock and agricultural matters were high on the agenda of the Native Commissioners' Conference in Pietermaritzburg in November, towards the end of which month a committee appointed by the S.A. Agricultural Union met senior officers of the Department in Pretoria. The memorandum subsequently sent by Smit to the Minister of Native Affairs on the subject of this meeting was illuminating in that it showed quite clearly the difference in approach to the whole question of land and labour between the Secretary for Native Affairs and the White rural electorate. Van der Byl, though, was himself a farmer and one time candidate for the portfolio of agriculture.

The S.A. Agricultural Union proposed that the Native Population be henceforth categorically divided into two immoveable groups: urban and rural. It demanded the abolition of the labour tenant system and suggested that rates of employment for farm labourers be determined

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1. Review of the Activities of the Native Affairs Department, 1944-45, p. 1.  
2. Smit to E.R. Brayshaw, 2 June 1944, Smit Papers, 3/44.

by an Employers' Committee. It also went so far as to demand that the government should undertake the recruitment of farm labour.

Smit's objections to these proposals, as well as the suggestions he outlined in his memorandum, represented a curious mixture of the practical and the moral. He maintained that the real solution to the problem of farm labour shortages had to be found in the improvement of conditions on the farms themselves. He refused to support the abolition of the labour tenant system on the grounds that there was simply not enough land to accommodate "displaced Natives" - the same, eminently practical bar which he had erected against municipal removal of 'redundant' urban Blacks. The proposed autonomy in wage determination he saw simply as "unjustifiable," and pointed out, quite reasonably, that state labour recruitment would have to be accompanied by in loco inspections, wage control and supervision, all of which the delegates had flatly refused to accept.<sup>1)</sup>

His counter proposals included a suggestion that part of the enormous state expenditure on White agriculture should include substantial housing loans for the better accomodation of farm labourers, and that a special grant of £50,000 per annum be made to each Province for the establishment of Native Schools on farms. His attitude, as he was to discover later when a member of the NAC, was jarringly out of tune with that of the rural electorate and there is no evidence that any attempt was ever made to give effect to his proposals.

By 8 January 1945, the Department had drawn the blueprint of the 'New Reclamation Scheme' which was aired publicly for the first time before a specially convened session of the Ciskei General Council. In

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1. Memorandum on Farm Labour, 24 November 1944, Smit Papers, 26/44.

an unusually emotive speech, Smit presented Council members with the fruit of his efforts over the past few years. Although he said that the scheme had been placed before the NRC, it was the Ciskei Council which got the benefit of the personal touch, as well as a far more detailed exposition. It had always been Smit's contention that the Local and General Councils were far more productive as far as Native Administration was concerned, mainly because their financial and supervisory responsibilities kept them in touch with the problems it involved. It was the Ciskeian Councillors, then, who were privileged to hear the details of the 'New Era' of the reclamation of their land from its most ardent propagator. There is evidence here too, that Smit had learnt from Smuts the value of adjusting statements to the audiences for which they were intended. To the Ciskei Council, the scheme was represented as a product of long term concern for the conditions in the Reserves per se. The way in which it was presented for the consumption of White audiences was subtly altered in that it appeared to be motivated by a healthy instinct of self preservation.<sup>1)</sup>

The Ciskei Council heard little of the visit of Dr. Bennett or of the threat to the country as a whole which was posed by the imminent possibility of "sterile deserts" in the Reserves. It did not hear, either, that the scheme was designed to provide a "wide field of employment" for Black ex-soldiers, who would be given preference in filling responsible posts in the rural areas rather than allowed to swell the mass of discontented urban dwellers which threatened to besiege the White citadels. Nor was it suggested that the creation of rural industries would provide "new money and new ideas" for White speculation.<sup>2)</sup>

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1. Comparison of the presentation of the scheme in the Policy Statement by Smit, Ciskei Council special session, 8 January 1945 (Smit Papers, 2/45), and Review of the Activities of the Native Affairs Department, 1944-45.
  2. Review of the Activities of the Native Affairs Department, 1944-45, p.1.

The Council heard, instead, the list of Departmental activity and Trust expenditure in miles of contour banks, numbers of dams built, fences erected and areas 'treated'.<sup>1)</sup> In the 35 Ciskei areas which it administered the Trust had spent, to date, a total of £260,000. (During the same period, for the same kind of undertakings, the Transkei Council had expended the sum of £205,366.<sup>2)</sup> It was now proposed to extend existing Trust activities on a grand scale. The country was to be divided into four Native Affairs zones, comprising the Northern Areas, (Transvaal, OFS, Bechuanaland, and part of the Cape), Natal, the Transkei and the Ciskei. In each of these areas a planning committee of experts, including surveyors, engineers and agricultural officers, would work out the requirements of the area and submit estimates to the central planning council.

For the number of objects which the scheme was designed to achieve, the sum of £10,000,000 estimated by Smit was a conservative one; so was the initial grant of £110,000 which Parliament was asked to vote in 1945. The land was to be settled "advantageously" and to be demarcated into residential, grazing and arable areas. Rural villages were to be established, and space found in them for the settlement of "surplus population."<sup>3)</sup> Planning was to include afforestation on a large scale, fencing, soil conservation, water supplies, veld control, driftsand control, irrigation, sanitation, transport, local industries, supervision and control. Smit stressed that stock limitation was essential to the success of the scheme, although there was no mention of the compulsive element in this regard which he had hinted at in his 1945 Review. On the question of village settlements, perhaps

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1. Policy Statement at special session of the Ciskei General Council, Smit Papers, 2/45.

2. Ibid.

3. Ibid.

the most radical departure represented by the new scheme, Smit was at his most persuasive.

The Department had three types of such settlements in mind. The idea, according to Van der Byl and to Smit, in later years, was entirely Smit's.<sup>1)</sup> The first type, with which it was proposed to experiment immediately, was a peri-urban settlement, where workers would spend the day at neighbouring White centres and return to their homes at night and at weekends. The second type were those villages sited adjacent to industries where Blacks would work by day and return to their villages at night. The third type of village was to be established in purely rural areas, where workers in more distant centres would maintain their families, returning home only periodically themselves.

The rationale behind these projects was explicitly outlined by Smit: "It must be accepted that there will never be enough land to enable every Native in the Reserves to become a full time peasant farmer."<sup>2)</sup> This was the first time that such a conclusion had been publicly reached, and the idea was not widely accepted until ten years later. If Smit himself had worked out the full implications of this statement it is doubtful whether they had been fully considered by his superiors. Even the Holloway Report of 1932, while seeking a rural solution to Reserve poverty, confined itself to recommending agricultural remedies. Certainly, the idea of rural villages would, if implemented, have had to involve a reconsideration of the whole question of mine wages as the present position of the mines depended entirely on the supposition that the wages of migrant workers were supplemented by agricultural subsistence in the Reserves. The

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1. Van der Byl, Top Hat to Velskoen, pp. 229-239, and Smit's annotation on Daily Dispatch cutting, 1959, Smit Papers, 83/59.
  2. Policy Statement, 8 January 1945, Smit Papers 2/45.

settlements represented no contradictions as far as actual policy was concerned: there was no idea of abandoning land segregation in favour of entrepreneurial farming. They were designed, rather, to relieve congestion as well as the pressures which it exerted on policy.

It was proposed by Smit to establish the first peri-urban village settlement near Kingwilliamstown, although it was not until 1946 that the idea was accepted by the Ciskei Council. The village, on Trust land, was to be divided into quarter acre allotments, of which only one each per family was to be allowed. The process whereby families would be settled in the village, which was to be called Zwelitsha, (New Era), was a highly selective one. Those selected would be required to occupy their plots for a minimum of five years, after which, if they had proved satisfactory tenants, they would be allowed to purchase the land with the assistance of Departmental loans. The Department, however, reserved the right to evict landowners if their subsequent behaviour merited such a move.

Although this represented<sup>a</sup> radical revision of the pattern of Trust tenure, it met with very little favour from those for whose ostensible benefit it had been designed. The day after the scheme had been put to them, the Councillors, without exception, rejected it. They deplored the idea on the ground that such settlements would create rural type 'locations' where drinking would rapidly become the main pattern. They failed to see how, if the normal five morgen of land did not adequately supplement urban wages, a quarter acre allotment would do so, and objected to the insecurity of tenure which the specifications outlined to them had made clear. Even if the initial five years of insecurity were to be accepted, the retention of removal rights by the government was anathema. Despite Smit's

efforts to reassure them on this head, they remained implacably opposed to the scheme. For the first time since 1936 it was proposed to allow Blacks to own the Trust land on which they lived; the conditions of tenure were such, however, as to make the prospect just as unattractive as existing conditions of tribal and individual tenure under the Trust.

There is no concrete evidence as to the kinds of sources on which Smit depended for his Zwelitsha strategy, although, by 1944 there was plenty of precedent. Similar schemes, on a much larger scale, had been a feature of the attempts to rehabilitate 'poor Whites' in the early pre and post Union days, while village settlements of the kind envisaged by Smit had long been successfully established in Kenya, Tanganyika and Nyasaland.

Despite the inauspicious reception of the 'New Era' in the Ciskei, Smit remained optimistic throughout 1945. In a White Paper presented to the Senate in March, he reiterated his belief that the partial solution to present ills lay in the development of the Reserves. He emphatically rejected the notion that "the problems of detribalization and urbanization" were to be solved by increasing control and gave it as his opinion that "further repressive measures" would only aggravate the situation.<sup>1)</sup> With the imminent introduction of a Bill to provide for the state finance of Native Education and the knowledge that the first instalment of the millions necessary to finance land reclamation was to be voted that session, it was difficult to keep a note of complacency from his words. Two months off his retirement as Secretary for Native Affairs, Smit was in a position to see the start of the fruition of some of his labours, and the future as one

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1. White Paper, 30 March 1945, Smit Papers, 46/45.

of endless possibilities. Out of all those involved in the administration of Native Affairs during this period, Smit, who had at first regarded the war as a necessary though unfortunate hiatus, had come, increasingly, to see it as the prelude to a really meaningful 'new era' in South African society.

During the course of his numerous interviews with various officials in the USA and Britain in August and September 1945, Smit concentrated his attention on those issues, such as education and the whole question of Black Trade Unions, which constituted particularly topical problems in South Africa at the time. He did not neglect to investigate aspects of rural development though, especially that of land tenure. In August he interviewed Sir Frank Stockdale, British adviser on Colonial Development, and was gratified to discover that his views on that subject coincided perfectly with his own. Stockdale was in satisfactory accord with the Trust preference for Tribal tenure and for maintaining control, and advised Smit to recommend it as his opinion that individual tenure should not be extended in the Reserves until a full education programme had been carried out with tangible results. He advocated a system of restricted freehold, (of the kind it was proposed to adopt in the village settlements), or of ten year leases which would be subject to periodic review. It was, on the whole, a most satisfactory interview.<sup>1)</sup>

On the question of Native Councils, Stockdale endorsed the views set out in Lord Hailey's pamphlet<sup>2)</sup> which suggested that powers of subsidiary legislation should eventually be granted to such bodies. Smit himself had "felt for a long time that this was the correct method of approach"<sup>3)</sup> which was one of the reasons why he had come

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1. Note of Interview with Sir Frank Stockdale, 1 August 1945, Smit Papers, 165/45.
  2. "Native Administration and Political Development in British Tropical Africa," 1945, Ibid., 206/45.
  3. Stockdale interview, Ibid., 165/45.

to regard the NRC as a body which did little but illustrate the dangers inherent in a 'representative' organ which had no responsible powers.

1945 was an extremely full year for Smit. From Cape Town, East London and Pretoria, he had moved to San Francisco, London and Paris. December saw him, a new member of the Native Affairs Commission, touring Natal with his fellow members. The NAC at this time had a rather heterogeneous composition. Apart from Smit, an ostensibly a-political member, Van der Merwe and Payn were both extremely conservative segregationists, while the fourth member, Brookes, represented Black Natalians in the Senate. Smit was probably the perfect foil in such a combination. Though his private views accorded better with those of Brookes than his other colleagues, he spoke fluent Afrikaans, had the ability to get on with almost everybody and brought with him to the Commission a long history of experience in Native Affairs which added considerable weight to his judgements in the eyes of the other Commissioners. It was while he was touring with the Commission for the first time, however, that its political nature was brought forcibly home to him.

Since 1936, the NAC had found dealing with land problems in Natal by far the most complicated of their duties. The trouble, as Smit put it in 1945, was that "Natives in the early days were allowed to acquire farms all over the countryside ... which ... became veritable locations."<sup>1)</sup> Although on this particular tour the Commission was concerned only with the proposed expropriation of the Umlazi Reserve, it received a great many requests from Whites and Blacks to investigate matters outside the scope of its enquiry. All such requests were turned down, with the exception of those of two deputations of White farmers which, as Smit told his wife, "we cannot refuse for political reasons."<sup>2)</sup> This was his first encounter with the necessities of political life outside the precincts of the Native Affairs Department.

1. To Mrs. Smit from Ladysmith, 4 December 1945, Smit Papers, 232/45.  
2. To Mrs. Smit from Volksrust, 3 December, 1945, Ibid., 231/45.

As the Commission moved Northwards in Natal, it was subjected to constant deputations from angry farmers, demanding to know when their complaints against the 'Native settlements' in their midst were going to be given some attention. As a result, the Commission spent a great deal of its time inspecting overcrowded settlements in predominantly White areas, and listening to successive representations for their removal. The vicious circles in which the segregation policy revolved are perhaps most clearly exposed at this level - the actual field activities of the NAC and the confrontations it experienced when White and Black put their cases to it at their most basic, grass roots level. Some of the frustration of his new position comes through in Smit's letters to his wife during this first tour with the NAC. Referring to the constant complaints of the White farmers, he complained himself

that there is never any concrete suggestion as to where land could be set aside to accommodate all these people ... and the only real solution would be to suspend them between Heaven and Earth like Mahomed's coffin. 1)

At a farewell dinner given in his honour by Heads of Departments in Cape Town in 1946, Smit talked of Native Affairs as

one long fight for the underdog, with political odds often weighted against one ... Discriminations make the life of a Native Affairs official ... very difficult and often unhappy. Our difficulties in this country will continue until we are prepared to mitigate .. disabilities. 2)

The political odds, as far as the NAC was concerned, were heavily weighted in favour of the White farming community. The Commission's tours of the Transvaal were interrupted in 1946 and 1947 by the necessity for reaching some agreement on the question of the NRC, but in

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1. Ibid.
  2. Notes of address at the farewell dinner, 5 March 1946, Smit Papers, 5/46.

September 1947 it embarked on a month long and uninterrupted tour of Natal, the Transkei, the Ciskei and Northern Transvaal areas.

It was in Natal, again, that the Commission encountered the most vocal and stringent opposition from White and Black alike. Of its activities in that Province Ilanga-lase-Natal said

When it was considered desirable to get rid of the monkeys which have been causing so much trouble on the Durban beach, there was an outcry from the European public - but when it is a question of moving Natives from their Reserves, nothing is said. 1)

The support which the Commission had initially enjoyed among some rural Blacks, and which had been responsible for the divisions in opinion in the NRC when the NAC had come under fire, had been gradually replaced, as removals continued and released land was constantly excised, by mistrust, suspicion and open resentment.

In the Dundee area, the day after these remarks were published, the NAC met a large gathering of farmers, mostly Afrikaans speaking, near Helpmekaar. The group, according to Smit, was unanimous "in refusing to agree to an inch of ground being bought in the European areas for Native settlement."<sup>2)</sup> It was determined, instead, to "make political capital" out of the whole land question<sup>3)</sup> and very much aware of the imminence of the general election. There was, he said, "no peace to be found." The inhabitants of the Dundee area were intensely preoccupied with "the Native question and the forthcoming elections" and the Commission was unable to make any headway whatever in its unenviable task.<sup>4)</sup> Confrontations with Black groups destined for removal were uncomplicated by electoral pressures and far simpler. Even when it came to the removal of the inhabitants of Kingsley Town-

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1. Quoted by Smit in a letter to Mrs. Smit, 18 August 1947, Ibid., 41/47.
  2. To Mrs. Smit from Dundee, 19 August 1947, Ibid., 42/47.
  3. Ibid.
  4. Ibid.

ship, a well run and well known Black area whose removal had been demanded by Whites, the most painful aspect was merely that of being part of the agency through which the removal was to be effected: "I always feel sorry for these simple folk when the questions of removal have to be discussed."<sup>1)</sup>

At Paulpietersburg, later on in August, the NAC had more success with the White farming community. On the 23rd, Smit wrote triumphantly to his wife that he had managed to persuade a deputation to drop their request that the Paulpietersburg released areas be excised. He added: "It is a pity that the critics of Native Affairs cannot see this side of our work - the constant fight we put up to protect the interests of the Natives."<sup>2)</sup> This was the kind of statement which Smit had been wont to make throughout his career in the Native Affairs Department, and provides an interesting comment on the relation between policy and its administration during this period.

The Commission reported to the Minister of Native Affairs in October that it had managed to prevent the expropriation of the Umlazi Mission Reserve by the Durban Corporation. After two investigations into the Durban situation, during the course of which it became clear that the plural composition of Durban's population presented a complicated problem for the Corporation, the Commission had decided that a Native Village Settlement, under the auspices of the NAD and a competent Black council, should be established in the area.

As late as October 1948, demands for the excision of land from the released areas were still plentiful. Representatives of the Potgietersrust Boere Unie, for example, presented the NAC with requests for

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1. To Mrs. Smit, 20 August 1947, Ibid., 44/47.  
2. To Mrs. Smit from Paulpietersburg, 23 August 1947, Ibid., 49/47.

the excision of a substantial number of farms when the Commission toured the Southern and North Eastern Transvaal in that month.<sup>1)</sup> These demands, coming nearly twelve years after the 1936 Act had been passed and land first 'released', were typical of the kind of problem with which the Commission had been confronted throughout the period. The agitation in the rural areas on the eve of the 1948 election provides some indication of the extent to which the system, by 1948, had fallen into disrepute. The Potgietersrust Unie demanded a total and final delimitation of separation between White and Black,<sup>2)</sup> and they found it in the elaborate electoral proposals of the Nationalist Party.

Although the most articulate and probably the most effective battles against segregation after 1939 were fought in the mines, in the overcrowded urban locations, by Congress and in the council chamber of the NRC, it was on the land that the policy's ineffectiveness produced the kind of tangible results which alienated considerable sections of the White farming community and helped to bridge the division of interests between urban and rural Blacks. While the White taxpayer, in 1945, finally dug his hand into his pocket to prevent the disintegration of the Reserves, White farmers, all over the country, dug in their heels. Smit's blueprints for the alleviation of conditions in the urban areas in 1942 and for the salvation of the Reserves in 1944 were both unacceptable and too late.

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1. Report of the Native Affairs Commission on its visit to N. and N.E. Transvaal, 18-27 October 1948, Ibid., 18.1/48.  
2. Ibid.

## CHAPTER VI

ADMINISTRATOR TO POLITICIAN

The change from administrator to politician was not a particularly happy one for Smit, who spent the last ten years of his life in bitter party wrangles, losing many of his old friends and growing increasingly pessimistic about the future of South Africa. Piece by piece, he watched the destruction of many of the results of his own work in the Native Affairs Department.

Between 1934 and 1945, Smit had been in a very powerful position and had used it, when he chose, with considerable effect. In 1948, contrary to all expectations, he did not become Minister of Native Affairs but found himself, instead, a member of an articulate but ineffectual opposition. By 1950, the two avenues of administrative power which remained to him had been closed by the government and Smit, although freed at last from the alleged shackles of officialdom, was politically ineffective for the rest of his life. His position was probably productive of even greater frustration than that expressed by 'independent' operators such as Hoernlé in 1941,<sup>1)</sup> in that, throughout the 1950's at any rate, he remained loyal to the United Party, although he grew rapidly disillusioned with it after the death of his mentor, Smuts.

Smit's successor in the Department was Gordon Mears, a man who was both emotionally and intellectually committed to the goal of a non-differentiated, multi-racial society but who had far less time or opportunity than Smit to marshal his administrative forces in the realm of policy. In 1949 Malan's government replaced him as Secretary by

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1. "Whatever successes we have" he said, "whatever limited improvements we secure, are possible only because the pillars of our racial-caste society are not thereby shaken, let alone undermined" (Hoernlé to Bishop Clayton, 21 October 1941, Smit Papers, 25/41a).

Dr. W.M. Eiselen, one time Chief Inspector for Native Education in the Transvaal. Eiselen's appointment was made over the head of Rodseth, the Under-secretary, and in the teeth of opposition from the Public Service Commission. Although Jansen, the new Minister of Native Affairs, had agreed to compromise on the choice of J. Steenkamp, who was attached to the Native Appeal Court, he was forced, in the end, to bow to pressure from a determined group in the Nationalist Caucus.<sup>1)</sup> The group included Albert Hertzog, Dr. H.F. Verwoerd and P.W. Botha; Jansen, who had served under J.B.H. Hertzog, found himself at odds with it throughout his short service as Minister of Native Affairs.

In October 1949, Rheinallt Jones, presumably on the strength of his association with him in Native Education in the Transvaal, wrote to Eiselen expressing some distress at his appointment on the ground that it was "a party political appointment".<sup>2)</sup> The new Secretary's reply was illuminating. He wrote that "Native Affairs has never impressed me as a department of development ..." and stressed the necessity of emphasizing its educative rather than its administrative function.<sup>3)</sup> That then, was the succinct explanation of the difference between the administration that was and that which was to be. Under Smit, the key word in Native Affairs had been 'development' - though this had been subject to widely different interpretations. For Smit himself, it was 'development' in the sense of progress towards an inevitable political goal. For others, including Smuts, it was "practical social policy away from politics" and dependent entirely on the goodwill of the white man. Eiselen's own views on the nature of

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1. B.M. Schoeman, Van Malan tot Verwoerd, (Pretoria: Human and Rousseau, 1973), p. 84.
  2. 19 October 1949, Rheinallt Jones Papers, C8/2.
  3. Eiselen to Rheinallt Jones, 21 October 1949, Ibid., C8/3.

this 'educative function' were shortly to become well known.' The Native Affairs Department, then, was at last to assume its proper place in the machinery of the South African system, now that the implications of that system had been more clearly worked out. Jansen himself was still something of a cautious Hertzogian segregationalist and it was the pressure group in the caucus which was responsible for the administrative changes which were brought about during the period for which he was Minister of Native Affairs.

The Native Affairs Commission, an important administrative adjunct, was similarly purged, though not until the offending members' terms of office had expired. In September 1949, Jansen, under pressure again, from the caucus, wrote to both Smit and Brookes, stating that their anti-government attitude created "an anomalous and undesirable state of affairs as far as membership of the Commission is concerned."<sup>1)</sup> Those two "opperste liberaliste", who were "obstructing and sabotaging the administration of the law at every possible opportunity"<sup>2)</sup> refused to resign, however, until their terms had run out. This was Smit's first encounter with the kind of political games which had been played by Brookes for years, and he was shocked and indignant. In his reply to Jansen he pointed out that membership of the NAC was not dependent on political affiliations, that provision for this eventuality had been made in <sup>the</sup> 1920 Act and that previous governments had not only retained, but actually reappointed members whose sympathies were publicly known to lie with the opposition.<sup>3)</sup> After his initial refusal to resign, Brookes was content to leave the matter and serve out the rest of his office while Smit continued an angry correspondence with Jansen until the end of October, when it was the Minister who refused to pursue the

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1. Jansen to Smit, 21 September 1949, Smit Papers, 15/49.
  2. Schoeman, Malan tot Verwoerd, p. 42.
  3. Smit to Jansen, 24 September 1949, Smit Papers, 17/49.

matter further.

The only thing Jansen could do, before the expiry of Smit's office, was to relieve him of his position as deputy-chairman of the Commission. This he did, in 1949, and M.C. de Wet Nel, a member of the Nationalist pressure group, was appointed in his place. The new government was making a clean sweep in Native Affairs, and the Union Advisory Committee on Native Education did not escape either. Smit, despite his proven familiarity with this area of administration, was not reappointed to the Committee when his term of office expired at the end of 1949 - a decision which hurt him more than his eviction from the NAC and which stung him to make an uncharacteristically abrupt reply to the Secretary for Education: "Since when has education become a political matter?"<sup>1)</sup>

Since the Nationalists came to power, it seemed, every aspect of administration had become "a party political matter." Officials were chosen on the basis of their known sympathies rather than their proven capabilities - and with very good reason. As early as 1950, Rodseth wrote to Smit of "happenings which take place in the Department and in the Service generally which disturb one profoundly."<sup>2)</sup> What, in fact, was 'disturbing' to some members of the administration who had continued, after 1948, to serve the new government, was that their Department, for the first time, was applying itself effectively to carrying out government policy. This reorganization of the administration, while it by no means supports the thesis that the Nationalists were more strongly committed to the segregatory ideal than their predecessors had been, does suggest that they had thought it out better.

The implication that the Native Affairs Department had been less than effective, before 1948, in putting government policy into practice, is inescapable. It was, in many respects, a custom "more honoured in

1. Smit to Van der Walt, 24 December 1949, Ibid., 39/47.  
2. 31 December 1950, Ibid., 35/50.

the breach than the observance" - hence the reasons for the changes in personnel in the NAD immediately after the assumption of power by the exponents of a systematized 'apartheid' structure were clearly something more than 'party politics'.

Although Smit was now deprived of official channels for action, the experience was salutary in at least two respects. With the removal of his official muzzle he was at last able to express openly his disapproval of those aspects of segregation which he had always loathed and he was forced, for the first time, to give form, substance and direction to his ideas on 'Native Policy'. As an administrator he had been able to avoid painful formulations of this nature, and that he deliberately did so is clear not only from the evidence of his administrative career, but from his later correspondence.

In 1954, when his Party was involved in yet another of its interminable disputes over the formulation of its Native Policy, he wrote:

Throughout my career I have not bothered overmuch about the political development of the Native ... My line has been to do all I can to improve living conditions, education, health and social welfare services and to fight hard against any injustice. 1)

Smit was, however, as conscientious a politician as he had been an administrator, and his commitment, when it was finally articulated, was predictable:

If you base the superiority of the White man upon his civilization, then surely you cannot deny to other men - of whatever race - who have attained his level in that respect, the rights of a civilized man. The practical importance of this proposal is small, because this class is limited and will be so for a long time. But the principle is fundamental ... we cannot exclude any man who reaches a civilized standard ... from his full share in the government of the country. 2)

It was consistent too, from a man whose political heroes were Burke,

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1. Smit to Gray Hughes (MP for Griqualand East), 21 August 1954, Ibid., 26/54.
  2. Smit to Sir de Villiers Graaff, 9 November 1954, Ibid., 41/54.

Gladstone, Rhodes, Carlisle and Churchill, and whose notebooks were filled with extracts from their writings and speeches.<sup>1)</sup> Cecil Rhodes's 'Equal rights for every civilized man' was Smit's maxim too, and to the question of whether this was a new departure, a marked change from his administrative position, the answer is almost certainly no. During Smit's membership of the Native Affairs Department, he undoubtedly saw its function in the political process as that of the agency through which the development of this 'civilization' would come about.

The shift in Departmental policy and the changes in its personnel were by no means the only aspects of the new regime which Smit, politically impotent as he now was, found hard to bear. He had to stand and watch, too, as the Nationalist government began to reverse the policy which its predecessor had finally and tentatively adopted towards Native Education. It was a policy which Smit, as an administrator, had been disproportionately instrumental in shaping, and the development of Native Education on the same basis as that provided for Whites in the Union had been the object of much of his activity during his long administrative career. Of the total of £21,683,750 spent by the Trust during his administration of it, £10,648,037 had been allocated to Native Education, including schoolfeeding, and a further £2,038,795 to Mission Societies, Councils and Reserve Boards, mostly for educational purposes.<sup>2)</sup> Although he had been concerned to reduce Mission control of education in order to achieve a greater degree of centralization, he had appreciated the Mission contribution to education and had recommended increased grants to these societies whenever funds were available. From the moment the Nationalists came to power however, it seemed clear that the new government was prepared to dispense with

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1. Of his five notebooks, the fifth contained nothing else and was begun during his membership of the NAD.
  2. Roux, "Land and Agriculture in the Reserves," Handbook, p. 176.

the Mission contribution in the interests of political conformity.

Long before the Eiselen Commission reported in 1951, there was evidence that both individual Mission societies and the Provincial Advisory Boards were feeling the effects of this change in attitude. A plea to the Transvaal Education Department from a Mission representative in 1949 alluded to the changed attitude thus:

We are very grateful for all that has been done by the Department ... but it is a matter of grave concern that ... the policy of the Department appears now to be one of deprivation as far as the mission schools are concerned and one of increasingly generous treatment in relation to its own schools. ... If, in fact, we are confronted with a change in government policy then that fact should be clearly stated so that we know where we are. 1)

The government, however, was waiting for the report of the Commission which it had appointed that year, under Eiselen's chairmanship, and whose terms of reference required it to formulate " ... the principles and aims for education for Natives as an independent race."<sup>2)</sup>

It was not until 1952 that Smit became fully aware of the implications behind the appointment of the Eiselen Commission and of the rumblings of discontent which had come to his attention from Mission circles in the Transvaal. In a letter to R.H.W. Shepherd of Lovedale, who was probably his closest friend at this time and with whom he maintained a voluminous correspondence, he referred unfavourably to the Report which he was halfway through reading at the time.<sup>3)</sup> Its conclusions, with which, he said, "I cannot agree", were quite clearly designed to slot Bantu

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1. Rheinallt Jones Papers, C44/d/13. The signature on this letter is unclear.
  2. Report of the Commission on Native Education, 1949-51, UG53-1951. (Hereinafter referred to as the Eiselen Commission).
  3. Smit Papers, 2/52.

Education (as it was now called), into a vastly more systematic segregation structure than had hitherto been conceived of. The exponents of Apartheid were cementing the ideological as well as the administrative cracks which had threatened to crumble the walls of segregation.

There was nothing in the Eiselen Report of the tentativeness and the hesitancy which had characterized the "avowedly interim synthesis" of 1936. Then, the Welsh Committee members, all of them educational experts, had hesitated to prescribe permanent remedies for the educational ills of what they obviously regarded as a temporary social and political structure. There was, by contrast, great confidence in the conclusions of the members of the later Commission, which advocated the immediate transfer of control of Bantu Education to the Department of Native Affairs.

In its review of the development of Native Education, as well as its prescriptions for Bantu Education, the Eiselen Report turned always to the economy. By paragraph 223 it had concluded, after a "brief review of the function of Bantu Education from the State's viewpoint"<sup>1)</sup> that the present state of affairs was economically undesirable for two reasons: the financing of Black Education was a drain on the General Revenue, and its content and structure were not designed to equip young Blacks for their "future work and surroundings."<sup>2)</sup> The alterations it proposed would solve both these problems. As the new system led the 'Bantu' into "habits of industry" so he would, increasingly, be able to pay for his own "social services". By para 764 it had been decided that "Bantu development and Bantu education must be largely synonymous terms" and that "the schools ... must serve as effective agents in this process of development." The third of its

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1. Eiselen Report, para 223.  
2. Ibid., para 765 (1b).

guiding principles maintained that "education must be co-ordinated with a definite and carefully planned policy for the development of Bantu societies. Such policy should pay special but not exclusive attention to the economic development of the Bantu."<sup>1)</sup>

These were the long term recommendations of the Apartheid strategists, similar in general approach to the line of the 1937 NAC Report, and bearing no relation to the kinds of makeshift and temporary policy decisions with which the exponents of the "wishy washy" legislation of 1936<sup>2)</sup> attempted to overcome the obstacles so frequently encountered by segregation. The 'separateness' of Bantu Education was established by the transfer of its control to the NAD. The "socio-economic development of the Bantu as a people ..."<sup>3)</sup> was to be ensured by the introduction of vernacular teaching at all levels as soon as texts became available - a policy which had no precedent anywhere in Africa. The stage of development at which 'Native Education' had arrived by 1945 had been one of the greatest contradictions of the segregation policy and, quite as much as the reorganization of the Native Affairs Department, required the immediate attention of the new government.

United Party opposition to the 1953 Bantu Education Bill, which gave statutory effect to the recommendations of the Eiselen Report, was organized by Smit, who found it "an interesting task, albeit disappointing."<sup>4)</sup> Not the least of its disappointing aspects was the varied level of response he encountered in his own party. Nothing, perhaps, so well illustrated the disjointed and unsystematized approach of the United Party as this sort of variation in the support which Smit, as the Party's chief spokesman on Native Affairs, was able to muster on the frequent occasions on which he led the opposition to particular

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1. Ibid., para 766(c).

2. Smit's own description of the 1936 policy.

3. Eiselen Report, para 1051.

4. Smit to Shepherd, 28 September 1953, Smit Papers, 27/53.

Bills. In 1953, support for his campaign against the Bantu Education Bill came only from those who were "interested in education."<sup>1)</sup> Apparently, the fact that the new differentiated education system for Blacks was to be one of the cornerstones of the apartheid policy was not of undue concern to the majority of Smit's colleagues in the UP hierarchy.

The provision of state subsidized schoolfeeding was, according to Schoeman, another "remnant of the Smuts era" which suffered the attentions of the pressure group in the Nationalist caucus. Schoolfeeding had long been fiercely opposed by the "plattelanders", and in June 1949 the Minister of Social Welfare, A.J. Stals, was sharply attacked in the caucus for his failure to eliminate this source of friction between platteland constituents and their MP's.<sup>2)</sup> Stals had undertaken, in 1948, that the amount expended on schoolfeeding would be reduced to £870,000 and by 1950 he had, under pressure, reduced it still further to £650,000.<sup>3)</sup> The whole question of schoolfeeding was subsequently reviewed, the Eiselen Report came out strongly against 'free' social services, and Smit saw yet another of his endeavours frustrated as administration swung into line with policy.

The final nail was hammered into the new structure of Black education in 1959 when the Extension of University Education Act was passed in June. Since this measure had first been mooted in 1957, Smit, together with Margaret Ballinger and P.A. Moore, had led an opposition Committee which sought, by means of the collection of a great deal of academic and other opinion, to stimulate opposition to the notion of segregation in higher education. Despite the many disappointments of previous years, Smit put a tremendous amount of hard work and energy into the work of this

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1. Ibid.

2. Schoeman, Malan tot Verwoerd, p. 33.

3. Ibid.

Committee,<sup>1)</sup> whose final report, along with the considerable amount of independent opposition encountered by the government during the past two years, it ignored. With the creation of four new university colleges and the shutdown of university integration, the maintenance of ethnic division, from the lowest to the highest educational levels, was complete.

The most paradoxical aspect of Smit's political career was his continued membership of the United Party long after he had finally realized that between his own political ideas and the vacillatory policies of the majority of his colleagues there lay an unbridgeable gulf. The reasons for this strange loyalty, and perhaps for the vacillations of the Party as a whole, must be sought in the personality of General Smuts, whose influence continued as the mainstay of UP solidarity long after his death. There is an element of unreality about the UP after its fall from power and after the death of its leader which only emphasizes the extraordinary allegiance which the latter's charisma had been able to command. Without Smuts, his surviving disciples lacked a central cohesion; it was almost as though he himself, and not the policies he advocated, was the party's raison d'etre.

The record of Smit's opposition, however, reveals nothing of the same sort of indecision, either in Parliament, or in the caucus, where some of his hardest battles were fought. An effusive compliment, in 1950, referred to Smit as "... a veritable St. George, ever ready to fight the awful dragon of racialism and narrow mindedness which tries to ruin the fair face of South Africa,"<sup>2)</sup> but there is little

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1. Both Mrs. Ballinger and Mr. Moore, interviewed in Cape Town, April 1977, credited Smit with the organization of the Committee and most of the content of the Memorandum which it subsequently submitted.
  2. Mrs. B.A. Steer, (an old friend) to Smit, 23 December 1950, Smit Papers, 33/50.

doubt that a great deal of the "narrow mindedness" with which he had to grapple came from the ranks of his own party.

It was not really until Jansen had been ousted by Verwoerd<sup>1)</sup> that the UP began to make a concerted effort to reach some sort of formula with regard to 'Native Policy' - and that the confusion of the Smuts legacy became apparent. The 1953 election found the party still unable to meet the test of Apartheid as far as its racial policies were concerned, and March the following year saw the first of a series of UP meetings to decide on the party's official 'Native Policy'. Provincial sub-committees were appointed to consider the matter, as well as a central Research Division, which issued its final statement in November. Not surprisingly, Smit found himself at odds with the proceedings from the start.

For the Cape sub-committee, at any rate, the start was naturally the 1936 legislation, from which it saw no reason to depart. For Smit, the 1936 legislation had failed the test of administration<sup>2)</sup> and in a letter to Graaff he urged that it be scrapped from party policy on the grounds that it had already failed.<sup>3)</sup> He saw little point, he said, in adopting "the same old wishy washy policy as before."<sup>4)</sup> His earlier, cavalier attitude towards the NRC was also clarified to some extent when he refused to support a half hearted plan to rescutate the Council in UP policy - a move which he was not prepared to approve unless the NRC was to be given administrative and executive powers as well.

Another aspect of Smit's attempts to guide his party in its formulation of a Native Policy goes a long way towards explaining some of his

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1. Schoeman, Malan tot Verwoerd, describes how the caucus got rid of Jansen in 1950, pp. 42-45.
  2. Minutes of UP sub-committee meeting, Cape Town, 28-29 April 1954, Smit Papers, 13/54.
  3. Smit to Graaff, 29 April 1954, Ibid., 14/54.
  4. Ibid.

actions as an administrator. He saw Smuts's ambiguous remarks to the SAIRR in 1942 as "the complete answer" which "stands out as a landmark in the evolution of the Union."<sup>1)</sup> 1942 also stands out as a landmark in Smit's own administrative career and it seems that it was definitely due in part at least to this speech that he boldly took the initiative in that year; not because he had undergone any kind of revolutionary change in his thinking, but because he had been given the green light to take off some of the brakes. The history of opposition politics during the period after 1948 is peppered with references to this particular one of Smuts's many oratorical utterances; the ruling Nationalist Party delighted in claiming it as evidence of the dangers of the policies of its political opponents while the latter were often hard put to it to interpret the speech in a manner designed to demonstrate that segregation as laid down in 1936 was still a viable proposition.<sup>2)</sup>

During his administrative career, 'control' had seldom been a concept at which Smit had baulked. Influx control, control in the rural areas - these had been necessary, if temporary aspects, as he saw it, of Native Administration and of the whole 'development' process. The exercise of such control had been one of his prime concerns and he had not been averse, on occasion, to resorting to the extraordinary powers which the habit of edictal legislation had conferred on his Department. It was only when he became a politician that his political perspectives moved increasingly towards the position which would have justified earlier designations of 'liberalism.'

His letters to Shepherd and his annotations of the various documents in his possession show quite clearly that his 'liberalism' developed

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1. Memorandum on Native Policy, 29 April 1959, Ibid., 13/59.
  2. All things to all men, these remarks of Smuts' were later taken up by the Progressive Party, which, in 1961, claimed them as evidence that Smuts, had he been alive, would have supported its stand. (Smit to Van der Byl, 18 July 1961, Ibid., 35/61).

commensurately with his disaffection with the United Party. He was beginning to rely more and more heavily for support in the House on people like Margaret Ballinger rather than on the members of his own Party,<sup>1)</sup> while the words 'right' and 'freedom' were beginning to feature prominently in his political vocabulary. In 1952, after the third reading of the Natives Abolition of Passes and Co-ordination of Documents Bill, he complained that "Neither the Press nor the public have hitherto understood the implications of the measure, which is just another step in the deprivation of rights."<sup>2)</sup>

There was still a great deal of the old administrative caution in Smit's attitude however. When asked in 1952 to contribute an article on the Pass Laws to Bantu World, he wrote to Roland Paver, its editor, and refused: "... at the moment there is so much unrest among the Natives that I feel we ought to be careful not to aggravate a situation that is already causing grave apprehension."<sup>3)</sup> 'Outside agitation' and the bogey of Communism were still greater evils than the reductive policies of the Nationalist Party.

From 1953 onwards, Smit battled to get his Party to oppose Nationalist measures. There were, he discovered, relatively few points at which the UP found itself at variance with the government. His notes on a copy of the Public Safety Bill reflected the pattern which was beginning to develop in the caucus:

Another bad bill which I opposed in caucus without success ... I wish to express my regret that it should be at all necessary to place a provision of this kind on the statute book - a provision from which the Executive will derive wide powers of interference. 4)

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1. Smit to Shepherd, 1 July 1952, Ibid., 10/52.
  2. Ibid.
  3. 26 July 1952, Ibid., 11/52.
  4. Ibid., 3/53

The Criminal Law Amendment Bill was similarly castigated: "A bad piece of legislation which I opposed in caucus without avail. I was overruled by caucus and not allowed to express my views."<sup>1)</sup>

By 1954, his letters to his wife provide evidence of the distance which he had travelled from conservative UP thinking. He deplored the prevailing talk of co-operation with the Nationalists, and described a caucus meeting at which he had unsuccessfully urged his colleagues to "fight the government at every turn."<sup>2)</sup> That his efforts had been unfavourably received is clear from the despondency with which he talked of his growing unpopularity with the "powers that be" as a result of his outspokenness.<sup>3)</sup> During this time, too, he was working hard for the cause of the Roman Catholic Missions, which had been hard hit by the 1953 Bantu Education Act - another project which found little support in UP ranks.

In 1956, C.M. van Coller, the ex-Speaker, congratulated Smit on his "noble efforts" in the House "which I fear did not get the support of the Party that they deserved."<sup>4)</sup> The situation reflected in his letter was not confined to Native Affairs alone. Smit had moved to a position of cautious liberalism by this time and usually found himself among a small minority which opposed all legislation designed to increase the power of the Executive. Along with other 'liberals' too, he had pinned his faith on the economy, and while he found the 1958 election results disappointing he was optimistic enough to write, in a letter to Shepherd, "that most of our problems will be solved by economics in the end."<sup>5)</sup>

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1. Ibid., 4/53.
  2. Cape Town, 29 January 1954, Ibid., 3/54.
  3. 30 January 1954, Ibid., 4/54.
  4. 15 June 1956, Ibid., 37/56.
  5. 19 April 1958, Ibid., 6/58.

The economy was unable to solve one aspect of "our problems" though, and that was republicanism. Throughout his career Smit had evidenced an attachment to the Commonwealth tradition to a degree which was unusual even among like-thinking South Africans. More than anything else, it was the Nationalist attitude towards the imperial connection which finally destroyed most of his optimism and confidence in the future. He was the only member of the United Party who refused to attend the official opening of Parliament in 1958, when the government decided to omit 'God Save the Queen' from the ceremonial proceedings. By June 1959, an uncharacteristic bitterness had begun to flavour Smit's outlook. While there had been many disappointments during the past ten years, he had never seemed to lose his faith in the prospect of a better future. He was, moreover, a deeply religious man, and although this was one faith he never lost, there were unprecedented accents of despair in his attitude when he said

There has been a lot of talk about the 1960 Union celebrations ... I think it should be a day for sackcloth and ashes ... Parliament as we knew it is being destroyed, and there is no dignity or respect for tradition left. 1)

Of the 1959 Parliamentary Session he wrote to Bob Shepherd, now Moderator of the General Assembly of the Church of Scotland in Edinburgh, that it had been "the most tragic session since Union ... it has brought about the most revolutionary changes in our system of government."<sup>2)</sup> The 1959 Session was the first under Verwoerd's premiership and had taken place against the background of violent anti-Pass demonstrations and rural opposition to the system of Bantu Authorities. In the face of unusually strong opposition the Promotion of Bantu Self-Government Bill had been introduced as the Nationalists

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1. Smit to Judge Gardner, 23 June 1959, Ibid., 21/59.

2. 28 July 1959, Ibid., 28/59.

finally committed themselves to a policy of independence for the Bantustans. With the prospect of a republic now imminent, and the future fragmentation of South Africa becoming a reality, Smit's despair had reached its nadir.

So far as Smit's association with the United Party was concerned, the bitterest blow of all fell in the latter half of 1959, when twelve of its former members broke away to form the Progressive Party. Most of those who thus finally cast themselves off had been his only allies in interminable caucus wrangling. Although Smit, who had turned seventy-four that year, decided to "stick to the party in which I have grown old"<sup>1)</sup> it was with extreme reluctance and distaste that he faced the prospect of a "United Party in which men like Mitchell, Raw and Steenkamp have the upper hand and in which there can no longer be a place for men like me."<sup>2)</sup> He himself had sided with the rebels over the particular issue on which the Party split, but, faithful still to his image of Smuts, remained a member of it. The break devolved on the land issue: the hard core deciding to oppose any future land purchases for Blacks on the part of the government in view of its new policy of independent Bantustans and the minority refusing to support this on the ground that, whatever its policies, the government's obligation to provide more land was still an essential one.

It appeared that the issue on which the party split had actually been forced by Messrs Mitchell, Raw and Steenkamp in order to provoke just such a confrontation as had occurred. After the 1958 election, at yet another of the Party's interminable committee meetings on 'Native Policy' they had decided that, in order that consensus on

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1. Smit to John Cope, 9 September 1959, Ibid., 31/59.  
2. Smit to Van der Byl, 5 September 1959, Ibid., 33/59.

policy be reached, the Party should purge itself of "liberals".<sup>1)</sup>

The United Party split came after ten years of Party in-fighting, fruitless attempts to reach agreement on 'Native Policy' and divided opposition to many of the measures by means of which the apartheid system was bolstered by extraordinary executive powers. The establishment of the Progressive Party provided the measure both of the frustration of the dissident elements with this unsatisfactory record, and of the success of the efforts of men such as Raw and Mitchell to restore conservative harmony in the caucus. There is no doubt however, that while it began as a party of principle, the Progressive Party very soon also acquired all the elements of a party of interest. The historical evidence does little to support Van der Byl's rather naive summary in 1959:

In short, mining capitalism now has a party in parliament subsidized by them to raise the native worker so he can be on equal terms with the white worker ...<sup>2)</sup>

(His remark, moreover, was based on an assumption that Oppenheimer had engineered the break himself.) There were many, however, who did subscribe to this viewpoint, and although the Progressive split at that time did nothing substantial to reduce United Party support, it probably increased support for the ruling Nationalist Party.

Smit lived to fight against the republican campaign in South Africa in 1960, and to see the results of the referendum. By this time there was nothing at all left of his earlier optimism - of 'good will triumph over evil' attitude which had been a marked characteristic of his political approach during the early years in opposition. The last

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1. John Cope to Smit, 9 September 1959, Ibid., 32/59.

2. Van der Byl to Smit, 10 September 1959, Ibid., 33/59.

months of his life, although he rather reluctantly allowed himself to be persuaded to stand for re-election to Parliament, were ones in which the zealousness of the earlier "St. George" was replaced with a resignation and admission of defeat best expressed in his own words:

To me it is as if the things for which we have given our lives have broken down and there is nothing left for those of us who hoped for a brighter dawn. 1)

In one important aspect, however, Smit's life's work had not been thrown out by the new system: ironically, his land policy proved to be one of its cornerstones. There had been no attempt on the part of the new government to revert to the idea of the Reserves as an agricultural Utopia. That this and therefore the whole rationale of the original 1936 settlement was an impossibility had been proved by administrative experience early as 1944 and was accepted by the Nationalists, who appointed the Tomlinson Commission in 1953 to find other alternative means by which the Reserves could become partially self supporting. The village settlement scheme conceived by the former administration was one of the first means by which the new regime proposed to solve the land problem. In a major policy speech to the Transkei Bunga in 1949, Mears, in a eulogy of the growth and development of the Council system, referred to the Transkei system of administration as "the cradle of Native Administration in the Union."<sup>2)</sup> Reserve residents were henceforth to be separated into landless and landed classes, the former to be sorted into different kinds of villages, where their tenure would depend on the way in which they earned their living (i.e. migrants or local

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1. Smit to Bob Shepherd, 8 October 1960, Ibid., 42/60.  
 2. Native Affairs Fact Paper IV, April 1949, Ibid., 5/49.

industrial workers). For the landed classes, allotments were to be increased, and there was to be selective placement of full time farmers who could make their living from the soil.<sup>1)</sup>

The experimental village of Zwelitsha, four miles South East of Kingwilliamstown, had been laid out in 1947, following its acceptance by the Ciskei Council. A large textile factory was built nearby and by 1950 350 of the village's proposed 2,000 houses had been built - largely with Black labour and under the supervision of the Native Affairs Department. The village, which was designed to accommodate 10,000 people was

an attempt to increase the carrying capacity of the reserves by offering the landless population the opportunity to group themselves in an orderly, clean urban community generating its own economy, and from which the wage earners can go to work either in the textile factory or wherever they like, without leaving their families to be a burden on the soil of the reserves. 2)

The theme of the later Tomlinson Commission echoed this kind of idea, and began the era of border industry, Union investment, extensive village settlements and the official recognition of a large landless class within the homeland economy.

In one other respect, too, the new government continued to promote a campaign in which Smit, as an administrator, had taken an active part. Smuts's desire to see the incorporation of the High Commission territories was shared by his Nationalist successors, who continued to hope for their inclusion in the Union under the apartheid system until the establishment of the Republic made this a remote possibility. During Smit's office in the Native Affairs Department he had been part of a delegation to a conference between Union and High Commission officials, which had been

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1. Although this was also the majority recommendation of the Tomlinson Commission, the government adhered to a policy of 'one man one lot'.
  2. The Star, 21 July 1950. (Cutting in Smit Papers, 21/50).

anxious to promote incorporation. By 1951 however, while general UP policy still tended to favour such incorporation, the measure of Smit's revulsion at the political changes in South Africa was provided by his volte face on this issue. Not only did he make a strong speech at East London against incorporation, but wrote an urgent letter to Clarendon in London, stressing that the British government had no power to transfer the protectorates to the Union without the agreement of their inhabitants.<sup>1)</sup> Clearly, his confidence in his own administration did not extend to the administration which had replaced it.

The Nationalists, as they picked their way through the administrative legacy of their predecessors, discarded a great deal more, in the way of personnel and policy, than they retained, discarding, in the process, many of those things on which Smit had centred his efforts and his hopes. By the time of his death, he had seen the destruction of most of his life's work.

Significantly, the numerous tributes paid to Smit after his death in December 1961, dwelt far more on his office in Native Affairs than his subsequent parliamentary career. (Although the Daily Dispatch, with considerable acumen, described this latter period in terms of his "enduring loyalty to Field Marshal Smuts ... and consequently to the party which Smuts once led."<sup>2)</sup> The Cape Times epitomized Smit's attitude towards his administrative duties when they described him as "quite without mawkishness and sentimentality,"<sup>3)</sup> and the Daily Dispatch evidently concurred with Smit's own views on the changes which had taken place in his country as it lamented the loss of

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1. 3 December 1951, *Ibid.*, 36/51.
  2. 20 December 1961, *Smit Papers*, 42/61.
  3. *Ibid.*, 41/61.

"a symbol of former days, when tolerance and reason meant more in our politics."<sup>1)</sup>

His good friend, Dr. Shepherd, provided an eloquent last word at his funeral:

Sometimes he did not agree with the legislation it was his duty to enforce, but by his humanity he eased the burden of those on whom it would fall. No man did more than he did to cause it to be said that South Africa's administration was better than its law making. 2)

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1. Ibid., 42/61.
  2. Copy of speech, Ibid., 40/61.

## CHAPTER VII

CONCLUSION

The foregoing chapters help to show some of the ways in which Smit, as a government servant of enormous individual initiative, with the ability to influence those with whom he worked, was able to use his administrative position to bring these qualities to bear on government policy. They have also thrown some interesting light on the activities of the Native Affairs Department which undoubtedly constituted an important, even crucial, factor in the development of the segregation policy after 1936. It seems clear from the available evidence that the Department's contribution fell a good deal short of the requirements of the policy makers: its operations, at a number of different levels, were inimical to the successful development of the policy inaugurated under the 1936 legislation.

The history of the Natives Representatives Council contains some of the clearest evidence of the Department's failure to meet the demands of policy. It is, in a sense, the history in microcosm of the official 'segregation' era. In 1937 the Council, as has been described, was clearly divided into particular interest groups. The division, generally, was between urban and rural members and stemmed initially from the fact that the latter, mainly the chiefs, had high hopes of the 1936 Natives Land and Trust Act. Much of the disenchantment revealed by the NRC over the years, its growing unity and the rapid politicization of its hitherto quiescent rural members was fostered by administrative contact and administrative action - more particularly as the NAC was popularly associated with the Department of Native Affairs.

Quite apart from the differences in approach to the question of land and stock limitation, it was in the field that the attitude of

White officials of the NAD and the Department of Justice towards their administrative duties helped to quench initial enthusiasm for the prospects held out under the Land Act. By 1944, the Council was not only united in its opposition to the NAC, but in its censure of the officials whose duty it was to administer the Act which they had greeted with cautious optimism in 1936:

Some of them hate the Natives, they call them 'kaffirs' and they show ... their hatred in their administration of Native Affairs 1)

was Thema's opinion of the situation. Observations such as the following:

... we find Native Commissioners throughout the country being little kings in their own locality ... The very fact that some of these Native Commissioners and Magistrates demand the Royal salute from the Zulus ... shows the way things are going ... These people demand the Bayete salute. 2)

are a clear indication of the extent to which, purely at the level of contact, government officials were destroying the kind of confidence and co-operation upon which the successful implementation of policy depended.

It was not only at this level that the Native Affairs Department contributed to the general disillusionment with what had been regarded as the only positive aspect of the 1936 legislation: it was Smit's decision to release so many members of his Department for military service which had resulted in the cessation of land buying during the war, and it was the halt in the purchase of land which deprived the rural members of the NRC of a vested interest in the maintenance of the segregation policy. Further, Smit did nothing to prevent the breakdown of the Council, on which the policy depended not only for credibility but for the nucleus of its well disposed Black middle class.

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1. NRC Verbatim Reports, Seventh Session, 21 August 1944, Vol. III, p.33.  
2. Ibid., p. 22.

White farmers, too, were not impressed by their contact with officials of the Native Affairs Department. They were clearly alienated by Smit's unsympathetic response to their petitions in 1944 (see p. 116) and increasingly impatient and sceptical about the successful implementation of the Land Act. After 1945, when the NAC became considerably more intransigent about fulfilling Parliamentary promises with regard to excision, and evasive about meeting demands for the resettlement of 'black spots', segregation lost a great deal more of its rural White support. In addition, Smit's interference with the 'efflux' provisions of the 1937 Native Laws Amendment Act solved neither urban overcrowding nor the problem of farm labour. The Nationalist administration had been swift to remedy this state of affairs, and by June 1949 Jansen was able to report of Johannesburg that "steps are already being taken to supply the farmers as far as possible with Natives who do not belong there."<sup>1)</sup>

At all its levels of contact then, as well as in some of its actions, the NAD contributed to the general disaffection with the segregation policy - in the locations, where Superintendents were ill-chosen and unpopular, in reserves and on White farms. As far as the Whites were concerned, the Nationalist Party offered promisingly clear alternatives of action and clear outlines of policy. Smit's encounters with Natal farmers while a member of the NAC in 1947 show both the extent of White rural dissatisfaction with the progress of segregation and the fact that farmers were going to express it by voting for the Nationalist Party. From the Black point of view, Nationalist alternatives were even less attractive than the devil they knew; balked of constitutional channels as an expression of dissatisfaction, it was manifested, instead,

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1. Senate Hansard, 2 June 1949, col. 3544.

by an intensification in the process of political polarization among hitherto 'moderate' Black leaders which had begun after the disillusionments of 1943. It meant, in effect and as Legassick has pointed out,<sup>1)</sup> that attempts to exercise social and political control through the agency of a well disposed bourgeois élite had come to an end - a development which, on the evidence, owed much to the activities of the Department of Native Affairs.

It has been suggested that the United Party's commitment to the policy of segregation was less wholehearted than the parliamentary majorities of 1936 indicated.<sup>2)</sup> There is little evidence for this thesis, however, particularly as the indications cited, such as the Pass Law moratorium of 1942, can be traced to administrative and economic rather than political sources; indeed, much of the impetus for the reforms initiated during the war years came neither from the government, nor from Black or White pressure groups, but from the Department itself. The Nationalist purge of the civil service then, was no indication that their commitment to segregation was any stronger than that of their predecessors; they had merely worked it out better and given it a catchy name. The significance of the administrative reorganization after 1948 seems, clearly, to be the recognition that the NAD had been totally ineffective in putting the policy of segregation into practice. Hardworking, conscientious civil servant though he was, the picture of Smit in this role becomes somewhat altered: did he in fact do his job? Official government policy was segregation and a review of Smit's activities at this level show quite clearly that he was personally responsible for contributing to some of the

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1. Martin Legassick, "Legislation, ideology and economy in post 1948 South Africa." Journal of South African Studies, Vol. 1, no. 1, p.34, N.71.
  2. T.R.H. Davenport, "The Smuts Government and the Africans", University of London Institute of Commonwealth Studies, Collected Seminar Papers: The Societies of Southern Africa in the 19th and 20th Centuries, Vol. 5.

more basic contradictions in the policy which had emerged by 1946.

The segregation policy was also the policy of maintaining White supremacy in South Africa. The Native Affairs Commission, in whose reports can be found some of the clearest expositions on segregation before 1945, was totally opposed to non-differentiated education for Blacks and to the recognition of Black Trade Unions - both of which it saw as inimical to the success of the policy. The NAC was apparently the only official body, before 1945, which had actually thought out the long term implications of the segregation policy and which refused to be fazed by the wartime economic developments in the country - or, as Jansen put it, to "take the line of least resistance."<sup>1</sup> Indeed, there are discernible similarities between the approach of the Commission and that of the powerful Nationalist caucus pressure group, from whose ranks there emerged the leading strategists of Apartheid.

While industrial developments did have a strong influence on the peripheral structure of the industrial colour bar, they made no chinks in the armour of what F.A. Jonstone calls the 'hard core' structure of labour discrimination:<sup>2</sup> that is, differentiated, non compulsory education, lack of effective bargaining facilities and low wage structures. Though it would be absurd to imagine Smit grinning evilly to himself and embarking on the methodical destruction of the roots of White power in South Africa, nevertheless as this study has shown, a great deal of his energy as Secretary for Native Affairs was devoted to the elimination of just these factors.

The Smit Report of 1942, for example, contained the recommendation.

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1. Senate Hansard, 2 June 1949, col. 3544.
  2. Frederick A. Johnstone, "White Prosperity and White Supremacy in South Africa Today." African Affairs, Vol. LXIX, 274, 1970, p.134.

that Black Trade Unions be given statutory recognition in all spheres other than mining, and strongly advocated a progressive raise in the level of Black wages. The Report probably had more effect on Blacks than on Whites; both political bodies such as the ANC, and constitutional organs such as the NRC, referred frequently to those of its recommendations which fell outside the frame of reference of most Whites. Although some attempt was made to deal with the question of the Pass Laws, it satisfied neither the White farmers or mining magnates; similarly, although some individual concerns, of their own volition, were moved to raise the level of their wages, legislation for the very limited recognition of Black Trade Unions, which was mooted in 1946 and 1947, was given no statutory effect.

Smit's own attitude towards the necessity for trade union recognition was purely pragmatic, although his evidence before the Industrial Legislation Commission in 1950 makes it clear that he recognised the political implications of such recognition. In evidence before the same Commission, the views of Dr. Eiselen, now Secretary for Native Affairs, were also clear on this point:

His view was that, if he were dealing with this subject in any other country where the set up as between Europeans and Natives is different (sic) he would have no objection to the recognition of Native Trade Unions but in South Africa the formation of strong Native Trade Unions which are legally recognised can only lead to Natives claiming equality with the Europeans and the same political rights. 1)

Smit's considered arguments were eminently practical:

1. these bodies are in existence
2. they do form a negotiating body of which use can be made when disputes arise
3. government officers have been forced to make use of them when strikes take place
4. the unions had in many cases fallen into the wrong hands and control over them was necessary,

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1. Summary of Evidence given by Officers and ex-Officers of the Native Affairs Department, 2 August 1950, p. 2.

- and,
5. the development of trade unions among industrialized Natives was inevitable. Whether they were recognized or not they would continue to grow and it would be better to regulate the movement with sympathy and understanding, rather than to wait until you are forced to recognize the movement. He expressed the view that recognition would be forced on the government sooner or later. 1)

This was much the same sort of reasoning as that behind his 1942 Report and reveals something of the defeatist attitude with which the policy makers had greeted the war time developments in the country. Segregation, in 1936, had simply not catered for the industrialization and urbanization with which it was confronted during the war, and while various commissions were belatedly appointed to remedy this omission, it was left to the Nationalists to develop a more self consistent and electorally attractive solution. While it would be stretching the imagination to argue that Smit was in favour of the recognition of Black Trade Unions because such action would hasten the alteration of the prevailing power structure in South Africa, it is safe to assume that he did not mind if it did. In 1942, then, instead of devoting himself to the promotion of such recognition, he would best have served the interests of policy, as the Nationalists were later to do, by seeking alternative solutions which would accommodate the new developments within the framework of White supremacy.

It was in the third of the pre-requisites for the maintenance of White supremacy in the Union that Smit's impact as an administrator was most strongly felt. It is difficult to understand why Legassick, in his comparative analysis of pre and post 1948 policy, dismisses educational changes as "some welfare legislation."<sup>2)</sup> The Eiselen Report

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1. Ibid., p. 4.

2. Legassick, "Legislation, ideology and economy in post 1948 South Africa", p. 8.

on Bantu Education made no bones about the economic necessity for differentiation and NAD control; the changes in the finance and control of Black education were probably the most significant of all the apparent contradictions in the segregation policy before 1948 in that they owed nothing to the exigencies of wartime industrialization and urbanization. As early as 1937 the NAC had attacked the system of Native Education, which, it said, "could not be better calculated to destroy the aims of Native Policy," (see p. 67 ). By 1945, thanks to Smit's efforts, it was a great deal better 'calculated' to this end, with the prospect, if Smit and Hofmeyr had continued in their harmonious partnership, of state administered, non-differentiated education for all races on the cards. It was not until after 1948 that the Nationalist government responded to the Commission's 1937 injunction to direct "Native Education in conformity with Native Policy," by which time the system of Black Education threatened the foundations of the entire 1936 policy. Smit himself had acted as deputy-chairman of the NAC throughout the period covered by its 1937 Report and was therefore well aware of the implications behind his activities in the field of education. He pressed on, nevertheless, in his own direction, despite the fact that this was clearly not the direction demanded by policy and that "a proper education for citizenship" as the NAC called it, represented one of the biggest single contradictions in the whole structure of segregation.

This dichotomy of interests, the apparently widening gap between Native Policy and its administration during this period, was thrown into strong relief by a rather curious statement made by Van der Byl in 1944. His advice was sought by H.R. Raikes of Wits University in the matter of selecting a name for the new 'Bantu students Hostel'. The choice appeared to be between D.L. Smit and Livingstone and the

Minister's advice was eloquent in its advancement of the claims of the former: Smit, he said, had always been the "friend and protector ... behind the scenes ... of the Native ... although he has had frequently to appear in public as being against their immediate interests."<sup>1)</sup> There was a rather frightening naivete about this statement from the political head of the Department of Native Affairs: it not only revealed the lack of any kind of systematized approach to the problems of administering the 1936 policy, but implicit in it was the acknowledgement of the conflict of interests between Black and White - a conflict which segregationists and Apartheid ideologues alike had always refused to recognize. As far as Smit's 'behind the scenes' activities were concerned, they were geared, however haphazardly, to the ultimate destruction of the set.

The point could simply be made that Smit, although a practical administrator, was without any kind of political cunning; he acted from instincts of compassion and humanity, and where these qualities influenced his administrative actions, the latter invariably conflicted with the interests of the segregation policy. Nowhere, perhaps, is this more clearly evident than in the contrast between the attitude of the Native Affairs Commission before and after his membership of it. The NAC was an important official body as far as policy making was concerned, and Smit's influence, and that of Brookes, was immediately felt there. The following extracts from the Commission Reports of 1941 (before Smit and Brookes were appointed) and 1947 (during their membership of the Commission) show how profound this conflict was - it struck at the roots of the segregation policy. In 1941 the NAC opined that:

... if European industry should draw too largely on the Reserves' population by converting the

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1. Van der Byl to H.R. Raikes, 14 August 1944, Smit Papers, 14/44.

temporary single male workers, into permanent workers, living with their families alongside their places of work, the whole economic policy will break down and we arrive, willy nilly, at that economic assimilation which was accepted by the Economic and Wage Commission (1925), as inevitable. 1)

By 1946, the changes in the Commission's membership were reflected in its Report, in which the NAC was said to be considering the

possibility of encouraging the more permanent settlement of industrial workers on a family basis, in or near the urban areas. 2)

Again, it was with the pre-1945 Commission that the designers of Apartheid were in accord. The 'more permanent' settlement of Blacks in White areas was clearly outside the compass of Apartheid strategy, and in 1950 it was Jansen's readiness to sanction the idea of Black urban freehold, albeit with a maximum 30 year lease, which led to his replacement as Minister of Native Affairs after less than three years in office.<sup>3)</sup>

Administration and policy, during Smit's office as Secretary for Native Affairs were quite clearly in conflict at a variety of levels, of which it has been possible to examine only a few here. The Native Affairs Department, with its wide range of executive freedom of action, was a powerful machine which required skilled operators. Interestingly, the Nationalist Government made no attempt to reduce Departmental power; on the contrary, it steadily increased it. It was not, then, the machinery inherited from the collaborators of 1909 which had become obsolescent: its full potential had simply never been realized. Harmony between administration and policy, after 1948, was ensured, for the first time, by the careful selection of committed personnel in whose hands the operation of the administrative machine had a far greater chance of political success.

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1. Report of the Native Affairs Commission for 1939-40, UG42-1941, p.15.
  2. Report of the Native Affairs Commission for 1945-6, UG14-1947, p. 5.
  3. Schoeman, Malan tot Verwoerd, p.34.

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