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TITLE: Visions, ideals and elections: The struggle for political apartheid within the Nationalist alliance, 1948-1959

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Introduction

This paper accepts the major conclusions of Posel, Lazar and others that there did not exist prior to the Nationalists assuming power a plan sufficiently coherent to facilitate its execution by legislators and administrators in the sense of following a "blueprint", and that the Nationalists in government faced numerous political and practical difficulties in their endeavours to translate their aspirations for apartheid into a practical programme.[1]

For Lazar, the Nationalist alliance was comprised of factions and classes, "all of whom saw their interests in different ways". The new government sought to develop its policy of apartheid, against a background of the need to keep the alliance together, and to counter escalating African resistance. Lazar describes an ideological struggle between the "visionaries" in the South African Bureau of Racial Affairs (SABRA) and the government, especially in the person of Verwoerd. The struggle lasted throughout the 1950s, until Verwoerd, with the backing of the Broederbond, succeeded in purging SABRA, and capturing it for the, then, Verwoerd-led government. SABRA had endeavoured to invent an ideology for its grand plan, and one which represented a search for a consistent moral position for complete separation. The SABRA vision was dependent upon total separation, which could not be applied to an economic system which used cheap African labour to perpetuate white domination.

Posel has argued that the class divisions within the Nationalist alliance generated different "blueprints" for apartheid. Total segregation was espoused by powerful factions comprising Afrikaner intellectuals, particularly among the membership of SABRA. Posel defined the SABRA intellectuals as "purists", as opposed to the members of the government who were pragmatic, and more conciliatory to the needs of industrial and commercial capital for a stable, urbanised labour force. The new government also had to contend with other problems; policy-making and implementation were shaped and constrained by the relations between the government and the largely UP-controlled municipal authorities, and the dominating ideological factions within the Native Affairs Department (NAD). Despite these largely class divisions, the Nationalist Alliance could unite behind a programme of the political disenfranchisement of Africans which was seen as essential to the maintenance of white supremacy.

On the face of it the HNP's plans for the disenfranchisement of Africans, and the establishment of what would become known as Bantu Authorities, appeared unequivocal:

> "I addition to the three White senators appointed...by virtue of their knowledge of Bantu affairs, we suggest additional representation in the Senate by four White representatives elected by various Bantu Councils, these seven Senators forming a standing committee for Bantu affairs. These Bantu representatives shall not vote on : (1) motions of confidence in the Government; (2) declarations of war; (3) amendment of the political rights of the non-Whites. The present representation in Parliament and the Provincial Council will be abolished...The party is in favour of a system of local

[1] POSEL, D, The making of apartheid 1948-1961: Conflict and compromise, Oxford, 1991. LAZAR, J, "Conformity and conflict: Afrikaner nationalist politics in South Africa, 1948-1961", Unpublished PhD Thesis, Oxford University, 1987. See also LAZAR, J, "Verwoerd versus the visionaries", in BONNER, P et al, Apartheid's genesis 1935-1962, Braamfontein and Johannesburg, 1993. Miller, analysing Verwoerd's early career and his relatively late public espousal of Afrikaner nationalism, suggested that Verwoerd should be viewed "as a pragmatist and opportunist, whose ambitions guided his actions and ultimately shaped his beliefs". MILLER, RB, "Science and society in the early career of HF Verwoerd", JSAS, 19, 4, 1993.

> government for the Bantu, more or less along the lines of the Bunga, which uphold the authority of the chiefs and enlist the services of educated Bantu. Such local councils are to be established in all the reserves with the prospect of developing into separate central councils for the different ethnic groups or sub-groups. The Native Representative Council is to be abolished..."[2]

But even this policy was contested. There was a major split on the issue at the heart of government - within the Cabinet itself. The failure to agree on a policy which would be central to political apartheid, a disagreement which was exacerbated by rivalries within the Nationalist political leadership, led to a delay for a whole decade and more in the abolition of Cape African franchise and the planned neutering of the African representatives.

Defending apartheid in Parliament

When Parliament assembled, the new government seemed uncertain concerning its policies relating to "the native question":

> "The native question in all its aspects is receiving the serious attention of Ministers, but in view of the brief period which Ministers have had at their disposal and the expected short duration of the Session, no legislation of a radical nature will be submitted to you. It is expected that the legislation which is considered necessary will be introduced at the next Parliamentary Session."[3]

Existing legislation would be used to tackle the government's two priorities, the "shocking conditions" in the urban areas, and the continuation of soil conservation measures in the reserves.[4] Before the election, the UP had presumed victory, and it was not generally expected that the HNP would win. Taking account of the circumstances of a surprise victory, the new government's slender majority[5], and the shortness of the Session (Parliament was due to be prorogued at the end of September), it is understandable that the new Ministry should pause before embarking on a major, and contentious, legislative programme.

During the campaign, the UP, together with the pro-UP press, had accused the HNP of not being ready for government, of making contradictory statements, scaremongering and sloganising.[6] When Parliamentary business began, the government was immediately called upon to explain its policy of "apartheid". The UP continued with its allegation of an election fraud, because apartheid had neither been elaborated coherently, nor indeed would complete separation be possible.[7] The "African" representatives in Parliament[8] took a slightly different stance, however; they were concerned that the new government define clearly their "native

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[2] "Race relations policy of the National Party", reproduced in KRUGER, DW, South African parties and policies 1910-1960, Cape Town, 1960, pp 402-406.

[3] Hansard Senate Debates (*Senate Debates*), 6/8/48, col 11.

[4] Ibid.

[5] The coalition Government had a majority of five in the Assembly, and was dependent on the support of the Afrikaner Party (AP).

[6] For example: "...at sixes and sevens about leadership, between the Provinces, and about slogans and policies." Natal Daily News, 13/4/48.

[7] See for example AM Conroy's attack in the Senate, *Senate Debates*, 2/9/48, col 176-188.

[8] White MPs and Senators elected under the Representation of Natives Act of 1936.

policy", as it had been expressed in various election publications and speeches.[9]

The expositions of the main elements of political apartheid given by Prime Minister Malan and Minister Jansen comprised a restatement of the HNP's policies published in its manifesto, and as set out by Malan during the no confidence debate in the last session of Parliament before the 25 May election.[10] Malan was adamant that the representation currently enjoyed by Africans in the House should be discontinued, to be replaced by "institutions of their own which will enable them to have a large measure of self government and...to retain their own character".[11] For Jansen, the "safety of the white race" was bound up with the provision of "the opportunity of developing their own [Africans'] national life according to their genius and character". The policy followed in the past would lead inevitably to the "destruction of all national characteristics and attributes of the native". Central to the government's policy was the conviction that "natives today have land for their exclusive use and that land must be regarded as their national home". Africans, however, did not comprise "a homogeneous population"; there were differences in languages, customs and laws. In addition, "natives [were] in various stages of development", from "raw kraal natives to those with the highest educational qualifications". Educated Africans should not be separated from their own people. Overall, the African state of development was such that "as a people they must still be regard as minors" who required the "guardianship of the Europeans". There had been "a process of denationalisation", a major error of past policy, and an ill-conceived attempt to "Europeanise" Africans. That process would be arrested and Africans would be brought "on the road to their own national development".[12]

Government Ministers laid themselves open to charges of inconsistency. To some extent this was due to the different policy concerns of different portfolios. But a major problem for the government was how its objective of establishing the reserves as a "national home" could be squared with the continued need for African labour in the urban areas. Minister Jansen's articulations of apartheid were initially (and to some extent they remained) contradictory, confused and equivocal. On the one hand, "tribal natives" in towns were to be regarded as temporary, to be "periodically returned to their homes to renew their tribal connections"; on the other, employed "detribalised natives" would have to be found housing and have residential rights in the towns. But "surplus" Africans, also apparently "detribalised" were to be encouraged to return to their "tribal" affiliations. On the Fagan Report, Jansen was prepared only "to accept the findings of fact", but not all the conclusions and recommendations. "We will have to consider further exactly what should be done." Nevertheless, he stated that the government would give "very serious consideration" to the draft bill.[13] Jansen admitted the government's lack of detailed policies on apartheid. The HNP's policy, constructed in opposition, had been put forward merely "in pamphlet form". Against a charge that the detail had been worked out by the Sauer Commission, Jansen stated that Sauer had been charged with working out what the HNP's "position" was to be. The party was unable at that time "to go into all the details as to how that policy should be

[9] *Senate Debates*, 1/9/48, col 146.
[10] Hansard House of Assembly Debates (*HAD*), 20/1/48, col 62.
[11] *HAD*, 16/8/48, col 218.
[12] Ibid, 20/8/48, col 600-609.
[13] Ibid, 6/9/48, col 1659-1660.

applied".[14] But he was firm regarding the public statements made by the "Stellenbosch professors", and made a clear distinction between these and government policy.[15]

Verwoerd offered a stout and comprehensive defence of apartheid in the Senate. A Broeder and a close ally of Strijdom, the leader of the HNP in the Transvaal, Verwoerd had recently arrived in the Senate from the editorship of Die Transvaler. His speech was based on readings from, and references to, various HNP publications and correspondence. There were many references to the Minister of Lands (Strijdom).[16] The policy was "the traditional policy of Afrikanerdom".[17] This government, however, was prepared to pursue the policy "to the full". He claimed that no one has ever contended that it would involve "total segregation".[18] Complete separation was the "ideal".[19] As for the "Stellenbosch professors", Verwoerd insisted that they did not contend that "it will come to that [total separation]". He interpreted their "ideals" as consonant with his own.[20] The NRC was to be abolished for it was responsible for breaking down of "all dividing lines between the various groups of Natives". This was contrary to the policy of establishing separate councils in the reserves for "the various ethnic groups and sub-groups". He did not refer to the abolition of African representation in the House directly, nor did he include it in his numerous quotes from the HNP's "colour policy".[21] Africans living in areas "within or near the towns...[would] be able to achieve a great deal of local government", but "for full citizenship...they have to go back to areas that are theirs".[22]

A major clash in Parliament concerned Malan's intention to change the basis of African representation on the strength of a bare parliamentary majority. In a reply to a motion by Smuts that the government should adhere strictly to the entrenched provisions of the South Africa Act, Malan accused the opposition of "prematureness" and "anticipating the occasion", for there was no Bill before the House.[23] He went on to explain "*my* attitude...that *we*" wanted to abolish African representation in the Assembly, and to replace it as soon as was practicable with "self-governing bodies in their own areas". The matter had already been put before the people. He continued to emphasise that the HNP had gone to the electorate on the question, and that: "the people were fully conscious of what we were going to do and the people gave their verdict on this point at the last election."[24]

He also cited in his argument the decision of the Select Committee of Both Houses, which in

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[14] *Senate Debates*, 1/9/48 Ibid, col 149. The Sauer Commission contained little more than a restatement of Stallardist principles. ASHFORTH, A, The politics of official discourse in twentieth-century South Africa, Oxford, 1990, pp 135-136. See O'MEARA, D, Volkskapitalisme: Class, capital and ideology in the development of Afrikaner nationalism, 1934-1948, Cambridge, 1983 pp 235-237, for a discussion of similarities and differences.

[15] *Senate Debates*, col 151-152. See also *HAD*, 6/9/48, col 1727 for a similar dismissal of "Stellenbosch" by Malan.

[16] Ibid, 3/9/48, col 223-257.

[17] Ibid, col 232.

[18] Ibid, col 245-246.

[19] Ibid, col 234.

[20] Ibid, col 246-249.

[21] The quotes correspond with "Race relations policy..."

[22] *Senate Debates*, col 245-246.

[23] *HAD*, 21/9/48, col 2943.

[24] Ibid, col 2945.

1935, recommended that Africans should be represented only in the Senate. He quoted Hertzog, who after he had introduced "Bill No 2", had stated that "Bill No 1" of the Joint Select Committee, limiting representation to the Senate, was best. He conceded that the government would take legal advice on the question of the necessity for a two-thirds majority. If it was no longer necessary, "then it ceased to become [sic] a legal question and it has become purely a question of policy.[25]

The whole question revolved around the Statute of Westminster of 1931, given effect in South African law by the Status of South Africa Act of 1934. Hertzog had undertaken that the new Status Act would not derogate the entrenched clauses. But the matter was not beyond doubt. There had been an Appeal Court decision in 1937, in which the judgement included a statement that by virtue of the Status Act, Parliament was sovereign, and it followed that no Act of Parliament could be ruled ultra vires.[26] Jansen was personally vulnerable for as Speaker, at the Act's passing, he had ruled that it did not affect the entrenched provisions. Questioned on this he stated that he was not prepared to make a statement. Weakly, he went on, "It would be unfair for me to express an opinion at this time. If the matter is to be brought to the House in the future then the Speaker will have to decide." Questioned whether the matter would in fact be brought to the House, he answered lamely, "Wait and see."[27]

The Havenga affair

It was not immediately apparent that the Cabinet was constrained on the question of African representation by virtue of a dispute with Havenga, the leader of the AP, the HNP's coalition partner. Havenga had first followed Hertzog "into the wilderness", upon Hertzog's retirement from politics in 1940. He later formed the AP, as a party pledged to carry on the fight for "Hertzogite principles". His personal relationship with Hertzog had been long and close; he had been Hertzog's military secretary in the Anglo-Boer War.[28] He shared Hertzog's distaste of the Broederbond. A major accusation against the HNP was that it pursued an unreal racial exclusiveness, that would condemn it to opposition.[29] Havenga, however, found himself and his party at the centre of an Afrikaner Broederbond-initiated plan for a reconciliation among the various Afrikaner factions. In 1946, the AB brokered a scheme whereby the remaining Ossewabrandwag membership, under JF van Rensburg, could affiliate to the AP. The AP was to be offered a mixture of some safe seats and some marginals. Early in 1947, Malan and Havenga met in secret, and an election pact was agreed. The OB was politically incorporated into the AP, but no OB office-bearers were permitted to become a candidates. Both Strijdom and Verwoerd objected to the pact, Strijdom going as far as threatening to resign after the election.[30] In the event, the AP won nine seats in the Assembly; Havenga was appointed Minister of Finance, a post he had held under Hertzog from 1924 to 1939, and was the "second man" in Cabinet.

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[25] Ibid, col 2946-2948.

[26] Ndlwana v Hofmeyr, SA Law Reports, 1937 AD, pp 236-238.

[27] *HAD*, 7/9/48 col 1733-1734.

[28] DE KLERK, WA The puritans in Africa: A history of Afrikanerdom, Harmondsworth, 1975, p 115.

[29] Forum, 7/6/46, p 33.

[30] SERFONTEIN, JHP, Brotherhood of power: An expose of the secret Afrikaner Broederbond, London, 1979, pp 77-78.

The policy dispute came into the public domain on 1 December 1948, during the parliamentary recess, when Havenga made what came to be called his "Brakpan Speech" to the national congress of the AP. He objected to the government's intention to proceed with the abolition of African representation in the Assembly (and the removal of Coloured voters from the Cape common roll) on the basis of a simple Parliamentary majority. He stood for "[t]he safeguards of the Entrenched Clauses":

> "Our accepted and declared policy of apartheid and the paramountcy (baaskap) of the white man is nothing else than the segregation policy of 1912 to 1936...This policy was accepted in 1936 by a two-thirds majority of Parliament. It could rightly be regarded as representing the will of the Whites, and not that of a party political majority...These safeguards were always respected by General Hertzog and our Parliament in 1936, and I am convinced that we shall not serve the national interest, and, in particular, the interests of the Whites if, in our zeal and impatience to find an early solution to certain aspects of our colour problem, we depart from that old National Hertzog road and follow a road without due regard to the explicit will of the people."[31]

Havenga acknowledged the existence of the Appellate Division's ruling, and interpreted it as indicating a strong doubt as to whether a two-thirds majority of both Houses remained necessary to alter the existing franchise provisions. Nevertheless, he considered it desirable to act in accordance with the spirit of the entrenched provisions. He claimed that the AP supported the entrenchment of the 1936 political settlement, lest it be undone by "a fortuitous change in the will of the people". It would folly to make radical changes to the constitutional rights of people on the basis of a simple parliamentary majority, which changes could be overturned by another party in power. A case in point was when the UP "forced the will of a bare political majority upon all when it gave the vote to the Indian in Parliament and in the Natal Provincial Council", a measure the new government fully intended to repeal.[32]

The following day the congress adopted, unanimously and without discussion, a resolution to remain an independent party and to "go forward in co-operation with any party or group which is at one with the Afrikaner Party on those fundamental principles which General Hertzog made his life task". Havenga was unanimously re-elected leader of the party with "unrestricted power". The personal leadership of the Party had been conferred on him the previous year in order that he could solve the many difficult questions which finally made agreement with the HNP possible:

> "In view of the future, and difficult times that lie ahead in big questions of policy, it is necessary that these powers should be given to me again."[33]

Suddenly, the new government of less than seven months was seen to be in crisis. The HNP's Die Burger came to the "inescapable conclusion" that a new election on the question of apartheid was needed. Die Vaderland, the AP newspaper, came to Havenga's support stating that it was a question of the honour of the white man. Malan and HNP members of the Cabinet met on 2 December. Ministers declined to comment; this "highly-delicate matter"

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[31] Rand Daily Mail (RDM), 2/12/48, which printed the full text of Havenga's speech.
[32] Ibid.
[33] RDM, 3/12/48.

would be discussed by Malan and other HNP leaders before any official party reaction would be made known. There was speculation fuelled by Smuts that a new coalition, a "moderate group of people", might emerge as had happened in 1932, according to Die Suiderstem.[34] Within the Cabinet Havenga was not alone in having qualms about altering the constitution on a bare majority. The Rand Daily Mail reported Stals, the Minister of Education, Health and Social Welfare, in apparent agreement with Havenga's stand, and Swart, the Minister of Justice, as having previously remarked that the entrenched clauses were a matter of good faith.[35] To add to the consternation of the government, the Natal question complicated matters further; AE Trollip, a UP MP, warned that any breach of the South Africa Act would be a breach of the covenant reached by the Colonies at the National Convention in 1908, and would, in effect, give the right to the individual Provinces to secede from the Union.[36]

During the following week, it became clear that the dispute between the AP and the HNP went further than the question of the entrenched clauses. The two party leaders published an exchange of letters, from 9 November to 4 December, the substance of which concerned the status of OB members, as members of the AP and as potential candidates in the forthcoming provincial elections due on 9 March 1949. Havenga allowed the AP's election pact with the HNP to fall away, objecting to HNP interference in the selection of AP candidates. The AP would take no part in the elections. Havenga complained of a "spirit of ill-will" between the parties. Malan expressed "deep disappointment" that the desired unification was out of the question at that stage. In contrast to Havenga's conciliatory approach to the OB, Malan insisted that the OB should cease to be active in the political field.[37] The air of crisis was fuelled by Malan's denial that the coalition was strained. There was close co-operation between him and Havenga. Malan refused to be drawn on the question of an early general election:

> "I am going to Hermanus to rest for a while and do not like to be worried with interviews now."[38]

The HNP's Federal Council decided that there would be no concessions to Havenga on the entrenched clauses, for such would compromise the HNP's platform for the provincial elections which were to be fought on the principle of apartheid. The Sunday Times reported, however, that "certain concessions" would indeed be made to Havenga at least until the recent budget had been passed or until the government could obtain supplies on account. It speculated that the HNP might make a fresh appeal to the country on 11 October 1949, the fiftieth anniversary of the outbreak of the Anglo-Boer War, in an appeal to Afrikaner unity. The AP's Head Committee met on 11 December, and whilst delegates remained silent about the HNP's proposal to over-ride the entrenched clauses, they complained of the "unsympathetic spirit" of the HNP. The Sunday Times described relations between the OB and the HNP as resembling "open war", the OB expected to instruct its members not to vote

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[34] Ibid, including the statements in Die Burger and Die Vaderland, and Natal Mercury, 6/12/48, quoting Die Suiderstem.

[35] RDM, 3/12/48.

[36] RDM, 18/12/48.

[37] Star, 7/12/48 and RDM, 7/12/48.

[38] Star, 7/12/48

for HNP candidates in the provincial elections.[39]

Havenga was in a strong position. As well as holding the balance of power in the House, he had recently introduced a popular tax-cutting budget.[40] It was rumoured that Havenga might resign from the Cabinet, rather than agree to support Malan's franchise measures. A political crisis was expected by 12 December 1948, when the Cabinet was scheduled to meet to discuss the legislative programme for the following session.[41] The Star speculated that the best hope for Malan was to avoid contentious legislation until after the provincial elections. If the HNP did well in the elections, Malan might then be able to risk a general election in the hope of securing an absolute majority for his party.[42]

Malan, in fact, made what was to be the first in a series of concessions to Havenga, in the face of open and bitter criticism of Havenga by Strijdom.[43] Malan would introduce an amendment during the no confidence debate calling for a non-party approach to the "colour problem". But more significant, was his agreement that there would be no legislation that session on the Cape African franchise. Havenga had won the first round of the "battle of the constitution".[44] HNP members boasted that after the provincial elections there would be no danger of a Cabinet crisis over the manner in which African representation was to be changed. It was already known, however, that Havenga would accept neither the current government majority in the Assembly, nor a "mandate" based on an HNP victory at the provincial elections, as a sufficient demonstration of the volkswil in favour of the measure.[45]

The struggle moved to the terrain of Parliament. Smuts's motion of no confidence again called for the honouring of the entrenched clauses. Malan countered by laying on the Table of the House the opinion of the government's legal advisors that the government could, in fact, proceed with its proposed franchise measures on the basis of a bare majority[46], and moving his amendment calling for an all-party commission. The amendment was so worded that it was impossible for the UP either to vote for it, or in the end agree to take part in the commission.[47] Havenga had no difficulty with Smuts's motion: Neither he nor his party had accepted any limitation on the sovereignty of the Union; the considerations relating to the "colour question" were not merely juridical; further, there existed no proposal before the House to reject the entrenched clauses; and last, he had always advocated that the "Native question" should be settled on a non-party basis.[48] The UP moved a further amendment designed to entrap Havenga; the wording insisted that the all-party commission must uphold

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[39] Sunday Times, 12/12/48 and Star, 17/1/49. Whilst the official position of the AP on the elections was to remain passive, many of the rank and members were later reported to be prepared to vote against HNP candidates. Sunday Times, 27/2/49.

[40] Cape Times, 10/8/48 and Star, 17/8/48

[41] RDM, 8/12/48

[42] Star, 8/1/49

[43] For example, Strijdom attacked Havenga in a speech at Krugersdorp: "[He would] not tolerate Afrikaner Party squeamishness." Star, 6/12/48.

[44] RDM, 22/1/49.

[45] Star, 8/1/49 and 17/1/49.

[46] The advice was that the Status of the Union Act of 1934 provided that Parliament was sovereign, and as such was omnipotent. Its acts could be neither illegal nor unconstitutional. RDM, 25/1/49.

[47] It included both an expression of confidence in the government and, in effect, a claim that apartheid had the approval of the electorate. *HAD*, 25/1/49, col 113-114.

[48] Ibid, 27/1/49, col 167-168.

the entrenched clauses.[49] After it had been moved, Havenga left the House for consultations, and later all AP MPs left the chamber for a caucus meeting. No AP member took any further part in the debate.[50] Speculation that Havenga might vote against the government, and effectively "cross the floor" was confounded when he and his party voted with the HNP.[51] Havenga was prepared to block government moves to disenfranchise Africans in the Cape, but not to sacrifice the government of "nationally-minded".

The government had announced that it would proceed with the South West Africa Bill.[52] It was confidently expected that the elections following the passing of the Bill would result in an increased majority in the House, and the securing of a majority in the Senate. Despite objections from Havenga, Malan, who was reported as unwilling to await "reinforcements" from South West Africa, contemplated another manoeuvre, for it was in the Senate that the government was at its weakest.[53] The Senate Act of 1924 would be amended to enable a dissolution following the provincial elections. The measure would be announced when the representation of the HNP on the senatorial electoral colleges became known after the elections. The most significant development following the elections, however, was a change in the priorities of the HNP. The removal of the African representatives from the House was originally to be the first step towards political apartheid. But the failure to win in the Cape, indeed the loss of two seats won in the general election of the previous year, led many HNP MPs to insist on the removal of Coloured voters from the common roll, even if African representation in the House was not abolished. In the caucus, Cape MPs, supported by Strijdom and Donges, urged Malan to introduce a measure during the current session, even if this meant an open split with the AP. It was anticipated that the measure would result in the HNP gaining up to an additional nine seats in the House.[54]

Malan appeared to confirm the intention to legislate on the Coloured vote by stating in the Assembly that legislation dealing with the policy of apartheid would be introduced during the current session. When Havenga was asked whether the AP dag bestuur would discuss the matter the following week, he was evasive, neither confirming or denying, and stating that the meeting was merely routine.[55] The Cape Argus reported that "informed Afrikaner Party sources" had stated that the AP had reached an agreement on the removal of the Coloured voters, as it would not be in violation of the South Africa Act, but the agreement was conditional; the Party would not agree to the allocation of three MPs in the Assembly, but insisted on representation on the quota basis, as it already existed in the Cape, of 9,508 voters per constituency. The number of MPs would then increase in proportion to the future increase in the Coloured population.[56] There was also a clash concerning the rights of the representatives in the Assembly; Havenga insisted that they should have the same rights as any other MP. The Cape Argus reported that the HNP was prepared to concede the quota

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[49] Ibid, 31/1/49, col 290.

[50] RDM, 1/2/49

[51] *HAD*, 31/1/49, col 414-421.

[52] Ibid, 21/1/49, col 8-9.

[53] Between 1948 and 1950, the government depended on the casting vote of the President on 10 occasions, and lost 4 votes. *Senate Debates*, 1948-1950, Divisions.

[54] RDM, 25/1/49, 3/2/49, 14/3/49 and Cape Argus, 10/3/49, 19/3/49.

[55] Cape Times, 19/3/49.

[56] Cape Argus, 22/3/49.

issue, but not on the question of the rights of representatives. A stalemate had been reached.[57]

Havenga's hand was strengthened during the financial crisis of 1949. There was a scarcity of raw materials, machinery could not be imported, and unemployment was growing. The Rand Daily Mail speculated that there might even have to be a four-day week. There was no money in the exchequer, and the government, owing the Reserve Bank £50,000,000, was in urgent need of loans from overseas. Government borrowing stood at about £2,000,000 per week, and the gold reserves stood at a ratio of 29.2% to liabilities, a record low level.[58] When Havenga went to London and Washington to raise loans, the Cabinet, without him, appeared to dither, "like sheep without a shepherd".[59] The Star reported that Havenga's influence in the Cabinet had risen in the previous few months, for his guidance on economic matters was essential. It was expected that the HNP leadership would put its plans for abolishing African representation in the House into "cold storage".[60]

In September, while Havenga was overseas, Malan announced his party's legislative programme for 1950 in a speech at Standerton; the promised Bills on both Coloured and African representation would be introduced.[61] In October, Havenga was offered the deputy leadership of the HNP.[62] Whereas such an offer was out of the question only at the beginning of the year for fear of exacerbating the disunity within the Cabinet and caucus[63], it was reported that Strijdom and Donges had expressed their willingness to support Havenga as deputy. The Cabinet needed Havenga's guidance "during the coming difficult months". The Rand Daily Mail added that Havenga was not expected to remain in active politics for more than another two years, and that Strijdom could afford to wait.[64] Although a devaluation had eased the crisis, the economic difficulties were not yet over. The country faced rationing, hikes in the prices of petrol and food, and cuts in loans to farmers.[65]

Havenga as Deputy Leader of the HNP would have, in effect, spelled the end of the AP as a separate party. The matter was likely to be decided upon by the AP congress in November. Before a merger could take place, however, some basis for compromise on the disputed questions of policy had to be found.[66] Havenga was prepared to support the government's plans to place Coloured voters on a separate roll, but he would not agree to any measure which entailed any reduction in the current representation.[67]

The situation was confused. The offer of the deputy leadership was not enough to avoid another crisis in the relationship between the AP and the HNP. It occurred when Havenga

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[57] Cape Argus, 26/3/49.
[58] RDM, 13/8/49, Star, 8/9/49, RDM, 9/9/49.
[59] RDM, 12/10/49.
[60] Star, 14/10/49.
[61] South Africa, 10/9/49.
[62] RDM, 12/10/49.
[63] Star, 19/2/49. Havenga was unacceptable to the caucus and Strijdom to Keerom Street.
[64] RDM, 12/10/49.
[65] RDM, 1/11/49.
[66] RDM, 12/10/49.
[67] Star, 14/10/49.

was busy preparing an austerity budget, which was bound to be unpopular with the voting public, and could be the cause of further dispute within the Cabinet.[68] The Rand Daily Mail reported "on the highest authority" that there were "toenadering whispers" for a new political alignment in Parliament, for a new coalition to tackle the country's economic crisis.[69] To add to the government's distress, there were indications that the HNP was losing support, even of farmers in the platteland.[70] The government's current unpopularity ruled out a general election. The Star accused Malan of raising the prospect of the transfer of the Protectorates, as a diversionary tactic to regain support in the face of an expected refusal by Britain.[71] The Rand Daily Mail speculated that Malan intended to offer the AP another portfolio in the soon to be enlarged Cabinet, in recognition of its strengthened position. It was by no means certain, however, that Havenga would accept this as a quid pro quo for acceding to Malan's proposals on the Coloured vote.[72]

The AP had remained silent on the question since the Prime Minister's Standerton speech. The congress of the AP scheduled for November had been postponed to avoid a public split between the coalition partners. It was Van Rensburg of the OB, and now an influential member of the AP, who broke the silence by calling openly for a new coalition to find a way out of the deadlock on political apartheid. The Rand Daily Mail suggested that this was done, with the agreement of other prominent party members, to put pressure on Havenga to stand up to the "less moderate" members of the Cabinet.[73] There was a "growing feeling", a concern about the influence exerted by the Broederbond within the Cabinet. The Cabinet was said to split between two factions, Broeder and non-Broeder. Even Malan and Swart, both Broeders, were said to "have become lukewarm in their membership".[74]

Rumours abounded, and the press speculated on the forthcoming retirement of Governor-General Brand. The prospect of Malan accepting the vacancy, as a sinecure at the end of a lifetime in public life was "discounted in circles close to the government". Malan could be expected to lead the HNP for another eighteen months. No discussions had been held "at official level". Malan, a life-long republican, was ill-disposed to accept such an appointment. Another reason was that any prospect of his stepping down would engender strong rivalries within the Cabinet around the succession, particularly among Strijdom, Swart and Lowe. Strijdom commanded the majority support in the party caucus, but "[m]ore liberal Cape Nationalists" might oppose Strijdom causing a split which could only be resolved by Strijdom's withdrawing his candidature. That Havenga, who had been offered the deputy leadership only a month before, might succeed Malan was discounted "in high Nationalist circles" because he "couldn't say yes, couldn't say no" to Malan's proposals on the Coloured legislation.[75]

The finalisation of the government's legislative programme for the forthcoming year was

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[68] Star, 14/10/49.
[69] RDM, 1/11/49.
[70] RDM, 1/11/49 and 14/11/49.
[71] Star, 11/11/49.
[72] RDM, 14/11/49.
[73] RDM, 21/11/49.
[74] RDM, 22/11/49.
[75] RDM, 22/11/49.

deferred until the Cabinet meeting scheduled for 16 January 1950, less than a week before the opening of Parliament. The Star reported that should the HNP members insist in bringing forward the proposed legislation on the Coloured franchise, the postponed AP congress would be convened immediately. It was understood that Havenga would resign both his Cabinet post and his seat in Parliament. He would be followed by at least three and possibly six of his party's MPs. If six, the government's current majority would have been wiped out, forcing Malan, at best, to adjourn Parliament pending by-elections, or at worst to ask for a dissolution, and go to the country on the single issue of the "non-European vote"[76] Havenga had just made a speech calling for South Africa to defend itself against foreign criticism "by standing united and treating non-Europeans fairly and justly".[77] While Strijdom made emphatic statements that "full-blooded apartheid legislation" would be introduced in the next session, including the elimination of the African representatives from the House, Havenga repeated his refusal to agree to any diminution in the current Coloured representation, and called for the spirit of the entrenched clauses to be observed.[78]

A compromise was reached. Malan and Havenga issued a joint-statement on 12 December 1949. During the forthcoming session no legislation affecting the entrenched clauses would be brought forward. The statement acknowledged that, although both leaders accepted the principle of the separate representation of Coloureds, they differed on the number of representatives and on the question of the necessity to consider the entrenched clauses in relation to the legislation which would be required. The HNP had to acknowledge that, despite the fact that it stood by its policy, it did not command a sufficient majority to legislate in the current circumstances. The text also contained a statement that Malan and Havenga were agreed on all other aspects of apartheid policy. The HNP was to publish "for general information and consideration" the already-drafted Bill, "without the Afrikaner Party having to assume responsibility for it". The HNP would maintain a "free hand" at any time after 1950 to submit this Bill to Parliament "if it were considered that an adequate majority could be commanded".[79]

In the new year, addressing a public meeting in Hobhouse, Havenga elaborated on his Brakpan Speech. It became clear how seriously he took the matter of foreign criticism of South Africa. This was one of the main reasons why he and Malan had decided not to force the issue of the Coloured franchise:

> "Whereas the Government is not prepared to grant further political rights to the non-Europeans, which would further endanger the position of the White man, we should also not take away those which have been given, particularly in view of world opinion and existing conditions in this country. With world opinion against us, it is not wise or practicable at the present stage to take away any of the rights which have been given to the non-Europeans."[80]

It is understandable that Havenga should have been more sensitive to foreign opinion than other members of the government. He was an unusual South African statesman, having had

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[76] Star, 1/12/49.
[77] Ibid.
[78] RDM, 10/12/49.
[79] RDM, 13/12/49.
[80] RDM, 12/1/50.

frequent contacts with his overseas counterparts throughout his career. He accompanied Hertzog on the journey to the Versailles Peace Conference by the "Freedom Deputation". They received statements from both Lloyd George and Bonar Law on the independence of the South African Parliament. Havenga accompanied Hertzog again to the Imperial Conference, where they negotiated privately with British Ministers. He had been Minister of Finance for a total of twenty-one years. After 1948, he had represented South Africa at the UNO, the IMF and the World Bank. He negotiated the gold loan to Britain, and raised currency loans for South Africa in Britain and America.

Havenga had stressed the value to South Africa's Commonwealth connection in his Brakpan Speech.[81] His concern about international criticism of South Africa has to been regarded in relation to the continued commitment of the Bank of England to purchase the Union's gold production, which facilitated the securing of South Africa's capital requirements in London. Basner, in whose judgement the "eloquence of Sir Hartley Shawcross had saved the Union from censure and possibly sanctions" at the UNO in 1946, noted South Africa's insecurity at a time when war with the USSR was a possibility: "A republic without British protection could make the Union [sic] vulnerable to a few regiment's of Ghurkas assisted by Russian or Chinese volunteers."[82] Strijdom drew a distinction between the Second World War and the next. South Africa's participation was not necessary in the last war, but it would be in the next.[83]

In the no confidence debate he stated that he regretted the difference of opinion, but pledged himself to continue to work within the coalition. He was prepared to accept the placing of Coloured voters on a separate roll, but in a way which did not affect their current political rights.[84] Not binding himself to a two-thirds majority, he would not quibble about what constituted an "adequate majority". He urged the opposition to reconsider Malan's proposal for an all-party commission. He contended that the government was still united. In previous coalitions there had never been unanimity: "That's what was happening today. The nationally minded are working together because they are one on all the big issues."[85] Earlier in the debate, Strijdom had to deny that he had stated that the government would remove the Coloured voters from the common roll during the current session.[86] Havenga's comments on the African franchise were enigmatic. He stated that in the previous year his difference with the Malan concerned African representation, whereas in the current year it concerned the Coloured vote. He followed this by saying that no policy would be pursued which would involve the granting of political rights to Africans which would endanger the "baaskap of the White man"[87]

The HNP "counter-attack" had begun with Strijdom's Christmas message that the party's "twin task" was to convince the AP of the "deadly danger of the non-European vote", and to

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[81] RDM, 2/12/48.

[82] BASNER, HM, The black price of gold in South Africa from 1970 to 1960, unpublished manuscript, nd, p 276. When an African Senator, with the help of the Indian delegation, Basner and Dr Xuma of the ANC, in effect, formed an alternative delegation to the General Assembly.

[83] RDM, 23/5/56.

[84] RDM, 31/1/50.

[85] Cape Times, 31/1/50.

[86] Ibid.

[87] Ibid.

strengthen its own position so that it could "give unequivocal expression to the true aspirations of white South Africa".[88] Opening the Annual General Meeting of the Council of the South African Institute of Race Relations, Jansen warned that the continuation of the loading of the "non-European" franchise was illogical, and questioned how long claims for its elimination and for the enfranchisement of "non-European" women could be withstood. "Differentiation" was the only solution, and this meant separate representation.[89] In February, Strijdom took his fight to Cape Nationalists, addressing a meeting at Goodwood. He repeated the main points he had made in his Christmas message, but also implied that Havenga was trifling with the fate of white South Africans. In an atmosphere, that the Star described as "cold war", AP Chairman, Harm Oost called on AP members to recruit support for their party's point of view.[90]

In the House in February, Havenga failed to give Strauss a reply on the matter of where he would draw the line, what might constitute for him a "sufficient" majority. Strauss pressed further on the question of the diminution of rights, and Havenga volunteered: "If it is a deprivation of rights, the Speaker will decide it and then I won't vote for it."[91] This was to be the formula that would lead to a compromise on the question of the Coloured franchise, but not on the question of African representation in the House. Havenga could compromise on the matter of the Coloured franchise, provided that any change could be presented as not depriving the Coloured population of current rights. His acquiescence to the removal of African representation in the House was out of the question whilst he held to his position.

Lowe joined the assault on Havenga. At Stellenbosch in March, he stressed his party's commitment to "maintaining political supremacy in the hands of the Europeans". If the number of Coloured representatives in the Assembly were to increase considerably, the threat to white supremacy that would entail could not be allowed. He stated that even the maintenance of a highly desirable cooperation among the nationally minded could neither hinder nor betray the security of European civilisation. The HNP did not intend to diminish the political rights of the Coloured population. Their rights would be expressed in a different way; they would be of greater value, Coloured people being represented by members who would speak for them exclusively. For good measure, he added in the communist threat, the prospect of a "liberalist" takeover of the UP, and finally the spectre of miscegenation in the person of Seretse Khama.[92]

Donges kept up the pressure when in June he highlighted the lack of progress on political apartheid. The legislative pattern of social and residential apartheid had been completed with the passing of the major measures, the Mixed Marriages Act, the Immorality Amendment Act, the Population Registration Act and lastly the Group Areas Act. There remained economic and political apartheid. The former Donges dismissed as merely the separation of workers on racial lines in industry. The latter, however, was dependent upon the abolition of the Cape African and Coloured franchises in their current forms.[93] In the same month, WA

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[88] Star, 5/1/50.
[89] RDM, 19/1/50.
[90] Star, 13/2/50.
[91] RDM, 16/2/50.
[92] Sunday Times, 19/3/50.
[93] Cape Argus, 1/6/50.

Maree, HNP Chairman, looked forward to the forthcoming congress of the AP, and forecasted a merger between the two parties.[94] The Cape Argus wondered how long "the permanency of the precarious" could last, and considered it remarkable that Havenga was able to maintain a separate existence for his party, and to exercise a powerful influence in the government. A merger, however, seemed inevitable.[95]

The Argus was premature. In October, a new Malan-Havenga agreement was made public. It involved a Cabinet reshuffle which gave the AP a second seat; Viljoen was appointed Minister of Mines and Education. It was also announced that Speaker Naude, reputedly a moderate, would vacate the Speaker's Chair, called "unexpectedly" to the Ministry of Posts and Telegraphs. Havenga was confirmed as the "second man" in Cabinet. With Jansen's impending departure to the Governor-General's Mansion, Strijdom became the "third man". The Strijdom faction in the Cabinet was strengthened by the appointment of Verwoerd as Minister of Native Affairs. The Forum noted the possibility of the temptation to appoint "a Speaker who will be swayed more by ideological than by constitutional considerations". (JH Conradie, a Broeder, was appointed in Naude's stead.) It also opined that had Malan been driven by party political considerations only, Naude, a purported expect on native affairs, could easily have been given the portfolio. Verwoerd's appointment signalled that the government meant business on apartheid "and will brook no argument about it".[96]

The additional seat in the Cabinet notwithstanding, the kernel of the agreement between Malan and Havenga was an undertaking by the former that what was to be proposed for the Coloured franchise would not be a diminution of pre-existing rights.[97] Havenga had conceded the Coloured franchise for an extra seat in the Cabinet according to The Forum.[98] Nevertheless, he did secure concessions. The HNP's manifesto commitment entailed the removal of Coloured voters from the common roll, with three white representatives in both the Assembly and the Cape Provincial Council, but elected indirectly by a Coloured Representative Council. One nominated Senator, "with special knowledge of the affairs of the Coloured community" would replace the existing four. The rights of representatives in the Assembly were to be limited in the ways proposed for African Senators.[99] In its final form, the Bill provided for four representatives in the Assembly, and two in the Cape Provincial Council; they would be elected directly, and the representatives in the Assembly would have the same rights as any other MP.[100] Malan and Havenga had to work hard for Cabinet and caucus acceptance[101], and Havenga had to be satisfied with a Speaker's ruling that the government could proceed without a two-thirds majority, with no reference to any diminution of rights, in the face of a provision which effectively disenfranchised the Coloured population of Natal.[102] He agreed to this and the reduction in Coloured representation in the Cape Provincial Council, because neither was protected by the

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[94] Cape Argus, 8/6/50.
[95] Ibid.
[96] The Forum, 23/10/50.
[97] RDM, 6/12/50.
[98] The Forum, 23/10/50.
[99] "Race relations policy..."
[100] HORRELL, M, Legislation and race relations, Johannesburg, 1963, p 13.
[101] RDM, 6/12/50, 3/2/51 and Star, 12/2/51, 14/4/51.
[102] Cape Times, 2/3/51.

entrenched clauses.[103]

Malan had agreed to give up the original plan to change the African franchise.[104] The complete terms of the agreement were not published. Havenga had attempted to have the safeguard concerning the African representation written into the published agreement [not found], but he had to be satisfied with Malan's personal assurance that African representation in the House was safe.[105] Despite the agreement, Donges had later to deny that he had said that African representation would be abolished in the House at a meeting with Coloured representatives in March.[106] When questioned specifically on the point Malan remained unable to answer other than: "The position is well known."[107] Neither he nor Donges felt able to contradict the HNP's stated policy of 1948.

The AP merged with the HNP in September 1951. Havenga became the Natal leader of the new party. Van Rensburg followed him into the new NP, but the majority of the OB membership remained outside, to pursue the fight for a republic.[108] In the following year the government was overtaken by the "constitutional crisis" when the Appellate Division ruled the Separate Representation of Voters Act invalid. The Cabinet channelled its energies towards the finding of a legalistic solution to its problems with the judiciary.[109] Conflicts continued, however; Malan and Havenga were later reported to have blocked Strijdom's demand to pack the Senate.[110] In 1954, internal political strains were exacerbated by what Margaret Ballinger termed a "physical collapse". Strijdom and Lowe were both absent through illness throughout the first half of the Parliamentary session; an accident kept Havenga from Parliament for a number of weeks before the recess.[111]

When Malan announced his retirement internal dissention became public. The party was warned to "avoid provincialism" by Die Burger.[112] Strijdom was conducting a "secret campaign" to oust Havenga.[113] Malan endorsed Havenga as the "co-builder" of Afrikaner unity[114], whilst Strijdom used Broederbond connections in the caucus in an effort to secure his succession.[115] Havenga's departure was a bitter one. He withdrew his candidature rather than risk the humiliation of losing a vote. He refused to speak to the crowd when invited by Strijdom following the latter's election as hooflier. He was reported as telling the caucus that his appeal to them was "in the name of democracy". The caucus had decided: "I accept that decision. What people outside think, I do not know."[116] Later, asked what he thought the

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[103] *HAD*, 9/5/51, col 6233.

[104] RDM, 31/12/50.

[105] Star, 2/3/51.

[106] Star, 2/3/51.

[107] Ibid.

[108] RDM, 19/9/51, 18/12/51 and Star, 22/9/51. The principles of membership were ambivalent on the question of a republic.

[109] See Horrell, op cit, pp 12-13, for the government's legislative measures.

[110] Star, 23/5/55.

[111] Umteteli Wa Bantu, 1/5/54.

[112] RDM, 21/10/54.

[113] Ibid.

[114] Star, 27/11/54.

[115] Serfontein, op cit, p 84. Strijdom was in Europe for medical treatment. His campaign was, in fact, conducted by Verwoerd.

[116] Star, 30/11/54.

people would think of Strijdom as prime minister, he said, "They deserve the Government they get."[117] The Rand Daily Mail wondered just how long the NP could keep splitting and starting all over again.[118] In 1955, some Havenga supporters looked for some kind of "Tielman Roos come-back". A Havenga supporter even stood against the NP as an Agrarian Party candidate in Havenga's former constituency of Ladybrand.[119] In a belated plea for "unity on a broader basis", Havenga stated that his mission had been to protect Afrikaner unity; "I knew that one unwise step or word could have put us all back where we were, and I was not prepared to do that."[120]

After Havenga

Havenga's stand as well as thwarting the one of the central planks of the HNP's published programme for political apartheid also appears to have delayed the abolition of the NRC[121], and may have played a part in determining the extent of the Tomlinson Commission's enquiries. The NRC was established in 1936 under the Natives Representation Act, but it did not have the protection of the entrenched clauses. In dispute with the government since 1946, the Council was neither convened nor abolished during Jansen's tenure at the NAD. His statements on its abolition were confused. While the whole basis of the NRC was wrong. Consisting of "various tribes", the only interest that its Councillors could have in common was to press for full political rights. It was "no wonder" that the Council had eventually made this demand. His intention was to "develop" the council system, to create "Bungas with communities which are homogeneous", and which would "have communal interest in various areas...[and] would be advisors of the Government". General Councils, on the Transkei and Ciskei model, would be set up, but on the basis that they comprised "homogeneous people as far as possible". They would deal with matters affecting the particular areas which they represented. Questioned whether it was the government's intention to link up these councils, Jansen gave an equivocal reply:

> "Not necessarily. That depends on how they develop. At the present time that is what we have in mind. But the N.R.C. has not yet been abolished. That will take time. That will take legislation, and if they have representations to make, we are prepared to consider them."[122]

When Verwoerd took over the Native Affairs portfolio in 1950. It seems he was obliged to demonstrate that all was lost in relation to the NRC. The whole affair was carefully choreographed by Verwoerd and Eiselen. Verwoerd addressed the NRC when it was called into session on 5 December 1950, ostensively to explain the government's policy of apartheid, but he also lectured the Councillors on how they should properly conduct their business. His speech contained a mix of promises of rural development together with a "form of independence", warnings of the futility of African aspirations for equal rights, and a threat

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[117] RDM, 1/12/54.
[118] RDM, 1/12/54.
[119] RDM, 8/3/55.
[120] Cape Times, 25/4/55.
[121] Also a commitment of "Race relations policy..."
[122] *Senate Debates*, col 625-628. The Secretary for Native Affairs, Dr Mears, had met the Council at the beginning of 1949 and advised the members that the government was minded to do away with the Council. Ibid, col 623.

that any such attempts would be met by force, resulting in "not freedom but downfall". The Council was forbidden to engage in political discussions and Councillors were not allowed to question the Minister. Instead, he offered them a subsequent interview, "as persons", rather than Councillors.[123] Following Verwoerd's withdrawal, Eiselen, as Chairman of the Council directed it to proceed with its main business, "the consideration of proposed legislation affecting the Native people". The Council demurred, challenging Eiselen's authority to set its agenda and it adjourned sine die. Councillors subsequently took the matter to the Supreme Court, which found against them.[124]

In April 1951, Verwoerd addressed the Senate in a rare attempt at "sweet reasonableness", even associating himself with the hated Hofmeyr. He described his address as a "personal appeal". As the response of the Councillors had been "no more encouraging" than when the Council had been addressed by JH Hofmeyr in 1947, he concluded that the government "should waste no more time and money on this body as at present constituted". He stated that "other means" would have to be devised to give "leading Bantu with a sense of responsibility a real share and a voice in the management of their own affairs".[125] When the Bantu Authorities Bill was debated in June, Verwoerd rejected a call by "African Senators" that the Bill be delayed in order that there might be a process of "consultation of Native opinion". The NRC had to go; delay would bring about "new agitation", Councillors "meet to bring about conflict".[126] In would seem that, in the end, the Council played into Verwoerd's hands.

In 1950, when the government faced charges of indecision and inactivity in the area of "native affairs", it turned to the classic device of a commission of enquiry. Malan announced the government's intention to set up a commission in January 1950.[127] By the time the Commission was appointed its terms of reference had been extended considerably over what might have been envisaged for the "board of experts...to advise in connection with soil conservation in the Bantu areas" of the election manifesto.[128] Jansen made a long policy statement in April, which took the form of both a stocktaking and a briefing for what was to be the Tomlinson Commission. The Commission was expected to recommend on how "tribal life" could be restored, the extent and location of the "national homes" for Africans, the boundaries of ethnic separation, the future constitutional arrangements, and industrial development both within and near the reserves.[129]

Basner observed that Tomlinson was "not a clever move", rather than providing solutions, the Commission added to the government's problems; it made "highly inconvenient observations and highly impossible recommendations".[130] Verwoerd had made it clear that he regarded the

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[123] PELZER, AN Verwoerd speaks: Speeches 1948-1966, Johannesburg, 1966, pp 20-30.

[124] *NAD Report*, 1950-51, [UG 30/1953], p 12. The matter had not been ruled upon when Verwoerd introduced the Bantu Authorities Bill in 1951. Margaret Ballinger, MP for Cape Western, accused Verwoerd of rushing through the Bill, "to save the government from the awkward dilemma in which they have been placed by the resort to the courts by the members of the Council". *HAD*, 21/6/51, col 10259-10260.

[125] *Senate Debates*, 23/4/51, col 2206.

[126] Ibid, 7/6/51, col 5550-5660.

[127] *HAD*, 27/1/50, col 245.

[128] "Race relations policy..."

[129] *HAD*, 20/5/50, col 4696-4712. Transcripts of Jansen's statement to the House and his subsequent speech in the Senate were published by the State Information Office, under the title "Native policy of the Union of South Africa". [GP-S 4297-1950]

[130] Basner, op cit, pp 247-248.

appointment of the Commission as an invasion of his territory.[131] He tried to bully Tomlinson, and on a number of occasions he claimed that he had appointed the Commission.[132] Tomlinson, himself, attributed the original idea to MDC de Wet Nel (MP and member of Verwoerd's NAC), who was supported by Strijdom. Tomlinson was approached to chair the Commission in September 1950, a month before Verwoerd was appointed Minister.[133] Verwoerd tried to suppress the Commission's report. His refusal to accept the its recommendations exacerbated his ideological split with SABRA.[134]

The government's inability to remove African representation from the Assembly clearly irritated Verwoerd. In his message to the African population on becoming Minister, he referred to its abolition, and Die Transvaler echoed his views by stating the time had come to execute the stated policy of the HNP.[135] In 1951, Verwoerd referred to what he called his and the party's standpoint on the question, that Africans should not be represented in the House of Assembly, but only in the Senate. But he conceded, "It is also well known that the Government as at present constituted is not preparing to change the present position. This matter has not been discussed."[136] In 1952, Malan appeared more relaxed, announcing that he did not intend to proceed with legislation to abolish African representation in the House, although his decision would not bind future Ministers. He even hazarded that the representation of Africans in the House would "be come [sic] so firmly established that there will be no danger of its ever being abandoned".[137]

The Malan-Havenga agreement continued to have currency long after Havenga's departure from politics. In 1955, in reply to a motion by Hepple to extend African representation in the House to the three other Provinces[138], Strijdom replied:

> "As a result of the agreement when the National Party and the Afrikaner Party were still separate parties, it was agreed that the position would remain as it is at the present time...that the Native Representatives would remain here. The Government did not pursue the matter...it stands to reason...under our policy, that the Natives must be given political rights in their own areas and that they must develop there under the guardianship of the White man. As that policy develops it stands to reason that this whole matter will have to be taken into review..."[139]

A year later Verwoerd stated that African representatives would be abolished and replaced by "territorial Bantu authorities", but he made this statement, when he rose to Lee-Warden's bate; he had challenged Verwoerd to test the feelings of African voters by fighting an election for Lee-Warden's seat (Cape Western).[140] There was a deafening silence on the question until early in 1958, when the press began to report a new interest within Nationalist

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[131] Lazar, 1987, op cit, p 186.
[132] *HAD*, 14/3/51 col 3050-3053. *Senate Debates*, 23/4/51, col 2220.
[133] Lazar, 1987, op cit, p 186-187.
[134] Lazar, 1993, op cit, p 373.
[135] RDM, 31/12/50.
[136] *Senate Debates*, 1/5/51, col 2908.
[137] Ibid, 13/5/52, col 2621. The Suppression of Communism Act had provided the necessary safeguards.
[138] *HAD*, 8/2/55, col 720.
[139] Ibid, col 768.
[140] RDM, 4/6/56.

circles in the question of African representation.[141] The Star commented that the subject was "formerly almost taboo". SABRA members Olivier and Du Plessis were by that time calling for the eventual conversion of the Union into a federation, with African states as autonomous members.[142] At the beginning of the year, however, in reply to a question of whether it was the government's intention to abolish African representation, the Minister of the Interior referred to a statement made by the Prime Minister on 25 October 1955 [not found], namely:

> "The Nationalist Party as such has never altered its policy to abolish the representation of Natives in the House of Assembly. In view, however of the agreement between Dr. Malan and Mr. Havenga that, as far as they were concerned, representation of Natives should continue, the matter will again be considered as soon as the pattern of our apartheid policy in this connection has unfolded and developed to such an extent that the Natives' own forms of Government in their own areas under our principle of our guardianship have in our opinion progressed sufficiently."[143]

The question remains why did Strijdom and Verwoerd, with their in-built majority of "Enlarged Senators", not proceed with the abolition of African representatives in 1956. A pamphlet was published in 1959, by the NP of the Transvaal, with the clear intention of describing a "straight-line" history of apartheid from Hertzog to Verwoerd, and designed to endorse the Promotion of Bantu Authorities Bill. Malan was described as being frustrated in his actions by the agreement with Havenga. Also during his administration, the Tomlinson enquiry had been appointed "to make recommendations on how the reserves could be developed to serve as national homes for the natives". It was regretted that Strijdom had somewhat less than four years in office. "Moreover, for a considerable period of this time, the appearance of the Tomlinson report was awaited."[144] Strijdom and Verwoerd may have been inhibited by the political risk involved in overturning a decision made by someone of the stature of Malan, especially so soon after the struggle to remove Havenga. The crisis over the Separate Representation Act was not resolved until 1956. By this time Strijdom's health was failing and it may be that exhaustion generally within the Cabinet precluded yet another struggle over a highly contested policy.[145]

Another factor may have concerned Verwoerd's personal standing in the Cabinet. He was not generally respected, and offered to resign in 1957. He wanted to relinquish the Native Affairs portfolio, because the NAD's policies were too much associated with him personally; he felt that the Department needed new leadership free of these associations[146] He was elected Prime Minister largely on account of the support he received from the party placemen in the Senate, whose leader he had been.[147] Verwoerd failed to get an absolute majority in the first ballot, and the caucus took a whole day to agree, Verwoerd's election not announced until well after midnight.[148] In his final address to the Assembly as Minister of Native

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[141] Cape Argus, 6/1/58.

[142] Star, 4/6/58.

[143] *HAD*, 7/2/58, col 1096.

[144] SCHOLTZ, GD, Native policy of the National Party under Hertzog, Malan, Strijdom and Verwoerd, Johannesburg, nd, but certainly 1959.

[145] I am grateful to Dan O'Meara for these suggestions.

[146] BARNARD, F, 13 years with Dr HF Verwoerd, Johannesburg, 1967, p 46.

[147] Cape Times, 19/9/58.

[148] Barnard, op cit, pp 52-53.

Affairs, he appeared to be shunned by other Ministers.[149] He could not count on their support, and turned to his connections in the Broederbond to shore up his position. All four of his new Ministerial appointments were Broeders, and he used his plans for a referendum on a republic as a ploy to unify the party.[150]

As the Promotion of Bantu Self-Government Bill would reveal, Verwoerd's ambitions in respect of African representatives went further than NP policy; he sought to eliminate all African representation in Parliament. He never took pains to disguise his contempt for African representation, whether in the Assembly or the Senate.[151] And they in turn were his most vociferous opponents. Verwoerd had a very strong personal reason to seek their elimination. He and his department had been severely bruised by what came to be known as the "Mamathola Affair". His attempts to remove the Mamathola, were subverted again and again by the actions of the leaders of the Mamathola, supported by the African parliamentary representatives and Attorney Basner. In a lengthy episode, from 1956 to 1959, which was played out in the public arenas of Parliament[152] and the press, Verwoerd was seen as impotent in the face of the resistance of a "minor tribe". Finally, he had to resort to the illegal removal of the Mamathola in secret and at gun point.[153] At the end of the 1958 session of the Senate, just before the general election, Verwoerd announced angrily, "these members will have to disappear".[154] The representatives, themselves, were convinced that they were to go[155], but Verwoerd held back, or was held back.[156] Prinsloo, the chief information officer of the NAD, however, was issuing propaganda statements that Bantu Authorities were successfully operating "in 75% of the Native areas".[157]

De Wet Nel, Verwoerd's successor at the NAD announced the abolition of all representation for Africans in Parliament in June 1959.[158] The Bill allowed the representatives a "stay of execution", to complete their terms, because according to Senator WG Ballinger, "there was no sure way of turning us out before then, owing, largely, to our periods of office being statutory".[159] Thus, Hertzog's 1936 legislation revealed its final impediment to its abolition.

Conclusion

Dubow noted that the Malanites, although they were unable to formulate a coherent alternative to the 1936 legislation, continued to regard Hertzogite segregation as inadequate and impermanent.[160] The new Nationalist political alliance which found itself in government

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[149] RDM, 16/9/58.

[150] Serfontein, op cit, pp 71-74.

[151] See for example *HAD*: 14/1/51, col 3060-3061; 21/5/51, col 10270-10271; 16/5/56, col 5497-5498.

[152] See particularly *Senate Debates* for this period.

[153] Basner Papers, ICS London and Wits, and Ballinger Papers at Wits. But see also STARFIELD, J, "A documentary drama" and "For future reference", both unpublished papers, African Studies Institute, Wits, 28/3/88 and ?/5/90, respectively.

[154] *Senate Debates*, 12/2/58, col 1125.

[155] RDM, 4/9/58.

[156] Cape Times, 6/9/58.

[157] Sunday Times, 30/11/55.

[158] *Senate Debates*, 10/6/59, col 3992-3993.

[159] Basner Papers, A410, C21,28, WG Ballinger to GG Xorile, 19/6/59.

[160] DUBOW, S, Scientific racism in modern South Africa, Cambridge, 1995, p 255.

signally failed to agree on the substance of political apartheid, what might replace the Hertzogite settlement. Indeed, the disagreements in Cabinet reflected the deep policy divisions on this issue which had existed within the Nationalist camp, between 1926 and 1936. In addition, it was impossible for the government to reconcile policy differences, when the wounds of past splits in the Nationalist alliance had not healed. Within the Cabinet the blocking of any change in the basis of African representation in Parliament rendered the NAD almost impotent in the first years of the new government, and delayed political apartheid for over a decade.

In the field of "Bantu Affairs", the government encountered many practical problems which impeded the implementation of its stated policies for an apartheid based on the creation of a "national home" for Africans in the reserves. The NAD laboured under staff shortages, the legacy of the department's "liberal" regime and resistance and rebellion by Africans in the face of its attempts to restructure the reserves. But such a fundamental division within the Nationalist leadership over the African franchise meant that the whole apartheid project was at risk. The government's actions, and those of individual players, were driven as much by Parliamentary and caucus arithmetic, as there were by their rhetorical ideals. And as they struggled for electoral security and personal advancement, and failed to agree, they managed to legislate for what Basner described as "an ersatz but acceptable form of Apartheid"[161], and for what Donges admitted was concerned with only social and residential separation.

[161] Basner, op cit, p 278.