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Non-racial
DEMOCRACY



THE POLICIES
of the
LIBERAL PARTY
of South Africa

PRICE: 10 CENTS

NON-RACIAL DEMOCRACY

THE POLICIES OF THE
LIBERAL PARTY OF SOUTH AFRICA

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INTRODUCTION

by ALAN PATON,

National President of the Liberal Party of South Africa

This Handbook of the Liberal Party of South Africa has been completely revised and rewritten, and presents the policies of the Party in a new and readable form.

The Liberal Party is a non-racial Party. All its policies are non-racial. It believes that non-racialism is the only sure foundation for a multi-racial society of such complexity as ours, and that our problem can only be dealt with by people of all groups working together.

The policies of the Liberal Party accord full political, social, and individual rights to all adult South Africans. This is done not only because it is a non-racial party, but because it seems to us to be unrealistic to suggest anything else in Africa today. We reject the qualified franchise, not only because we believe it to be absurd to suggest the re-introduction of a franchise whose previous record was one of continuous retreat, but also because we believe that every adult person is entitled to a voice in the election of his government.

All colour bars must go. The damage they have done to race relations in Africa is incomputable. But they must not only be removed; strong measures must be

taken to redress the imbalance of privilege which we have inherited. This Handbook contains policies on land, taxation, and education which are designed for this purpose.

The Liberal Party believes that any Government would need tremendous powers to carry out such reforms, but it is opposed to any form of authoritarian society. The provision of work, security and opportunity for all people is of the highest priority, but they must not be attained at the expense of fundamental civil liberties. Therefore the Party aims to secure the consent of the people to the setting up of a controlled constitution, in which their rights will be entrenched, and to which all authorities, national and local, as well as the citizens themselves, will be subject.



FRANCHISE AND
CONSTITUTIONAL POLICY

In the opinion of the Liberal Party, the present constitution of South Africa suffers from two fundamental defects: it limits political rights to white people and it fails to protect individual rights against arbitrary curtailment.

The Liberal Party aims to achieve the responsible participation of all South Africans in the Government and Democratic processes of the country and, to this end, to extend the right of franchise on the common roll to all adult persons.

It is not possible at this stage to foresee the precise circumstances under which the change will occur, but the Party aims to have the idea of a universal franchise accepted by the people of South Africa and to bring about the changes with the minimum possible dislocation. (See Appendix I).

Such an extension of the franchise will remedy the first of the fundamental defects of the present constitution, but by itself it will not remedy the second. Liberalism does not concede to the majority any more than to the minority the right to rule tyrannically and without due regard to the rights of the individual. A constitution based upon universal franchise and the unlimited sovereignty of the central legislature leaves

the way open for tyranny by the majority. In countries with a long tradition of democracy and a homogeneous population, purely conventional safeguards may suffice to prevent the abuse of majority rule. In a country such as South Africa, more substantial safeguards are required.

The Liberal Party therefore advocates a controlled constitution, in which a Bill of Rights will be entrenched. The Bill of Rights will be based upon the Universal Declaration of Human Rights, and the rights enshrined in it will be placed outside the powers of an ordinary parliamentary majority.

In order further to limit the power concentrated in the hands of the central legislature, and to enable those provinces or regions which have special language, cultural or other interests to safeguard their interests, the Liberal Party advocates a decentralised form of constitution. The powers of the provincial authorities should be defined in the constitution and should not be subject to alteration by an ordinary parliamentary majority.

If constitutional guarantees are to be effective, it is essential that the power to enforce them should be vested in an independent judiciary. The right of the Supreme Court to declare legislation invalid if it offends against the provisions of the constitution must be recognised, and the independence of the judiciary must be fully guaranteed.

The future constitution of South Africa must be established by the consent of the people as a whole, and this consent can best be expressed by a National Convention, representative of every section of the people.

CIVIL RIGHTS

By the fundamental principles laid down in its constitution, the Liberal Party is pledged to strive for the essential dignity of every human being, for the maintenance of the fundamental rights of the individual and for the maintenance of the rule of law. The full recognition of such basic freedoms as the freedom of speech, assembly and association, the freedom of religion and belief, the freedom of movement and the freedom to seek employment thus constitutes one of the cornerstones of the Party's policy.

In present-day South Africa, civil rights have been gravely compromised and in some cases destroyed. The most important of the existing laws which the Liberal Party regards as inconsistent with basic civil rights, together with a brief description of the changes which the Party will make in those laws, are set out in Appendix II.

The preservation of civil rights is not, however, merely a matter of the repeal of restrictive laws. There must be machinery available to the ordinary citizen for

the protection of his rights, not only against the encroachments of other individuals but also against the encroachments of the State. The two most important parts of that machinery have already been mentioned in the Constitutional Policy. They are a Bill of Rights entrenched in the constitution and an independent judiciary with power to enforce the Bill of Rights.

While these institutions will suffice to prevent any general curtailment of civil rights, they may not always be able to ensure that justice is done in particular cases. Poverty, ignorance or intimidation may cause individuals not to set the machinery of the courts in motion to assert their rights. The sheer size and complexity of the modern state machine calls for supervision of a kind which cannot easily be exercised either by private citizens or by the courts. The Liberal Party will therefore create the office of Public Protector, whose function it will be to investigate all cases of abuse of official powers, and to seek redress for those who have suffered from such abuse.

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ECONOMIC
AND SOCIAL POLICY

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Though South Africa is a country rich in human, mineral and even in agricultural resources, its economy is far less productive than it could be and its products are distributed with gross inequity. Twenty per cent of the population consumes sixty per cent of the country's production. The wages of white workers in private industry averaged R1,500 a year in 1959, while the wages of Africans in the same industries averaged R330. The result is an explosive combination of mass poverty side by side with affluence. Artificial barriers to economic progress stand in the way of the steps which could be taken to remove poverty, and resentment and frustration continue to grow.

The Liberal Party believes that major political changes in the country must be accompanied by major economic changes, so as to lead to greater prosperity for the country as a whole, a more just distribution of income and equality of opportunity for all the people of South Africa.

The Party considers that these changes can be brought about without state regimentation of the economy, and will employ indirect methods such as

taxation wherever possible in preference to direct state control. The state must nevertheless not shrink from such measures of intervention as may be necessary to ensure the creation of a non-racial economy with fair distribution and opportunity for all.

Four main methods will be used towards this end. They are:

1. *The abolition of the economic colour bar, coupled with the provision of proper training facilities for all, leading to the full employment of the abilities of all.*

2. *The raising of wage levels throughout the economy, both urban and rural.*

3. *The intensive expansion of industry by means of capital investment.*

4. *Redistribution of land and progressive development of agriculture, including agriculture in the reserves.*

FIRST METHOD of creating a fair non-racial economy:

ABOLITION OF THE ECONOMIC COLOUR BAR

The colour bar is at present entrenched in legislation, under the Industrial Conciliation Act dealing with job reservation, and under the Mines and Works Act, which prohibits the employment of Africans in skilled occupations in the mines. It is reinforced by the practices of white trade unions and employers in connection with apprenticeships and employment generally. It results not only in the exclusion of non-white people from many skilled occupations, but also in the existence of excessive differences between skilled and unskilled rates of pay.

In the long run, the colour bar benefits neither black nor white workers. It stifles ability and kills incentive. It has created a vicious circle of poverty wages causing malnutrition and lower productivity, which in turn prevents the payment of adequate wages.

This vicious circle can be broken only by removing the artificial barriers which have been placed in the way of the non-white worker. The abolition of these restrictions will provide incentives and a keenness to perform better work which will raise productivity substantially.

The Liberal Party's policy therefore is to abolish the economic colour bar by repealing existing restrictive legislation and by making discrimination on grounds of colour illegal. Opportunities for advancement must depend on merit alone. At the same time, excessive differences between skilled and unskilled wage levels must be eliminated.

SECOND METHOD of creating a fair non-racial economy:

RAISING OF WAGES

A general rise in wages is an urgent need and must be achieved as quickly as is possible without damaging the economy by inflation. The Wage Board will be required to make more frequent surveys in each industry and to adopt a policy of bringing the wages of the poorer sections of the community up to a reasonable level as soon as possible. The machinery of negotiation under the Industrial Conciliation Act will be made available to workers of all races.

The Liberal Party accepts the fact that the wage increases which are required cannot in many industries be made immediately without leading to sharp rises in prices which would nullify the effect of the increases and damage the economy as a whole.

In many cases, therefore, increases will have to take place in stages of sufficient degree to reduce poverty as rapidly as possible, yet spaced so that the industry can absorb each increase by means of increased productivity before a further increase is made. In this way a resultant rapid expansion in the domestic market will enable fresh capital to be employed productively in expanding industry.

THIRD METHOD of creating a fair non-racial economy:

EXPANSION OF INDUSTRY

Justice requires that our economic resources be more evenly divided. A mere re-division of existing resources would not, however, create the standards of living which the Liberal Party believes are possible for South Africa. In addition to the abolition of the Colour Bar, the opening of opportunities to acquire skill and the release of initiative and buying power which will follow, one of the fundamentals in any forward-looking economic policy for South Africa must be the creation of new wealth and new resources. The Liberal Party will therefore encourage the steady expansion of both primary and secondary industry throughout the country.

The expansion of industry depends above all on two

things: capital and skilled personnel. South Africa is better endowed with both, than any other territory in Africa, but the doctrines of apartheid and white supremacy are gravely impeding our chances of exploiting these advantages. The Liberal Party will remove the shackles from our economy and will encourage both the constructive mobilisation of local capital and the investment of overseas capital in South Africa. The Party believes that the climate of racial peace which its policies will create, will foster confidence among both local and foreign investors.

Although the general level of education and technical skill of the South African population is the highest in Africa, much remains to be done before we can rival the established industrial countries in this respect. The Party's education policy (which is set out in detail elsewhere in this book) is aimed at the rapid elimination of illiteracy and technical backwardness.

While there are solid grounds for optimism about South Africa's economic future when these policies are implemented, a note of warning must be sounded against the illusion, so widespread in Africa at the present time, that the abolition of discrimination and unjust laws can bring prosperity to everyone overnight. There is no substitute for hard work in building an industrial economy and sacrifices will be called for, both from the previously privileged section and from those who will have been freed from the restrictions of the past. Among the least tangible, but nevertheless gravest, effects of the present racialist system in South Africa is its destruction of the spirit of service

and the idea of duty to the community as a whole. The Liberal Party believes that the establishing of a non-racial democracy will release many frustrated energies, and that the State will be able to call upon the people to work as they have never worked before, to create a society which will encourage, not prohibit, the fullest development of every human skill and talent.

FOURTH METHOD of creating a fair non-racial economy

REDISTRIBUTION OF LAND

Owing to the importance and the far-reaching nature of the Party's Land Policy, it is set out in a separate chapter later on in this book.

The four methods set out above constitute the Liberal Party's basic programme for the abolition of poverty in South Africa. Certain further general principles of economic and social policy follow.

THE ECONOMIC FUNCTION OF THE STATE

The aim of the Liberal Party is to eliminate all poverty from South Africa and to use the machinery of Government towards this end and towards creating a non-racial economy and a comprehensive social security service.

The Party does not advocate the nationalisation of mines or industry as a principle of universal application, but believes that the state should intervene directly in the industrial field:—(a) in undertakings of public importance which are in their nature mono-

polistic—e.g. communications, transport and public utilities; (b) where public intervention is necessary to prevent an abuse of economic power which may be injurious to the public interest; (c) where private enterprise has failed to provide an industry or service which is needed; (d) where state assistance, subsidies, marketing organisations etc., are required to supplement the efforts of private enterprise in some important field.

The state should also devote more attention than it now does to the research and statistical services which are the necessary foundation for all successful economic planning.

FISCAL POLICY

The Liberal Party will abolish special taxes levied upon members of particular racial groups, which at present have the effect of imposing a higher proportionate rate of taxation upon the poorest sections of the community. The Party also repudiates the idea that the provision of public services to members of any racial group should be dependent on the taxation paid by members of that group. There must be a single system of taxation for all races, and the resulting revenue must be spent for the benefit of all races.

Taxation will also be used as a means of securing a more just distribution of income. The various social welfare and educational policies to which the Liberal Party is committed will be financed by means of higher taxation of the more wealthy members of the community. This will involve a more steeply gradu-

ated scale of income tax and death duties, together with taxes upon luxury commodities and capital gains.

ABOLITION OF INFLUX CONTROL AND MIGRATORY LABOUR

The Liberal Party rejects the system of influx control as being inconsistent with the basic principle of freedom of movement, and because its main purpose is to keep rural wages at an artificially low level. No attempt has ever been made to restrict the movement of African workers to the farms. Influx control measures have rather been used to prevent African workers from selling their labour in the best market, in the cities, and to divert them to the farms, where wages are lowest. Insofar as the system provides a measure of protection to urban wage levels, the Party considers that such protection will not be necessary in a healthy and progressive economy. The problem of the movement of workers from rural to urban areas is not a special South African problem; it has been encountered, and has been solved, in every industrial country.

The abolition of influx control may nevertheless create certain short-term difficulties which will have to be met by special arrangements. Among the measures which may be required are: (a) special vigilance by trade unions and the Wage Board to prevent exploitation of the freer supply of labour in the towns; (b) the provision of labour exchanges and other advisory services to work-seekers; (c) a major effort in the provision of urban housing.

A major factor in the solution of these difficulties

will, of course, be the improvement of conditions in the rural areas, in accordance with the Party's land policy, set out in a later chapter.

The abolition of influx control, together with the raising of wages and the provision of additional urban housing, will lead to the disappearance of the system of migratory labour. In setting its targets for wage increases and housing programmes, the state will bear in mind the need to end this pernicious system as soon as possible.

LABOUR AND TRADE UNIONS

The Liberal Party believes that a strong and free trade union movement can play an extremely valuable role in society. The principle mechanism for the fixing of wage levels should be the process of negotiation between employers and employees. The state should provide machinery to facilitate orderly negotiations, but should interfere only where necessary. Once the clauses allowing for job reservation and other racial restrictions have been removed, the Industrial Conciliation Act will provide negotiating machinery which is satisfactory in many respects and should be retained.

The Liberal Party will afford equal recognition to all trade unions and will encourage the formation of united non-racial unions. No employee will be debarred from participation in collective bargaining.

The Liberal Party supports the principle of "equal pay for equal work". By insisting on equal training and Trade Union facilities for all persons it will ensure that this principle does not become a device for entrenching the position of privileged groups of workers.

All efforts by employers to stabilise their labour force and to give workers a sense of participation in the concerns for which they work will be encouraged. The profit-sharing schemes now being evolved in several European countries may be a valuable precedent for this purpose.

SOCIAL WELFARE

The Liberal Party accepts as the basis of its social welfare policy the following extracts from the Universal Declaration of Human Rights:—

1. *'The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.'*

2. *'Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing, and medical care and necessary social services, and the right of security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.'*

3. *'Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.'*

The Liberal Party aims to provide adequate social welfare facilities for all South Africans who need them. Private welfare organisations will be encouraged and the state will provide those services which are beyond the capacities of private organisations. The existing discriminatory provisions relating to pensions, workmen's compensation and unemployment insurance will be abolished.

Special attention will be paid to the re-establishment

of family life where the present system has led to its widespread breakdown. The treatment of "children in need of care" will as far as possible aim at their reinstatement as members of a satisfactory family unit, in preference to their committal to institutions.

In the field of public health, greater emphasis will be placed upon preventive medicine than has hitherto been the case. Family Health Centres will be established to provide nutritional guidance and recreational facilities in addition to medical advice and treatment.

The eventual aim of the Liberal Party is to provide a complete system of social security, including free medical services, for all the people of South Africa. This will necessarily have to be achieved in stages, dependent on the economic progress of the country as a whole.

HOUSING

The abolition of residential segregation and of racial restrictions on land ownership will mean that housing for non-white people will be provided by private enterprise to a greater extent than at present. It will nevertheless remain the responsibility of the state to ensure that adequate housing, at reasonable cost, is available for all. A separate department of state will be set up to erect sub-economic houses, to assist in the provision of loans to those who wish to build their own houses, and to conduct research into low-cost building methods; and to ensure that houses are available at such rental as will enable people to maintain their families at a reasonable standard without paying a disproportionate part of their wages for rent.

EDUCATION POLICY

The Liberal Party's education policy is based upon the following principles of the Universal Declaration of Human Rights:

"Primary education shall be free and equal for all and higher education shall as far as possible be made available to all on the basis of merit."

"Education should be directed to achieve the full development of the human personality, and it should promote understanding, tolerance and friendship among all National, Racial and Religious Groups."

The application of these principles to South Africa demands the creation of an integrated educational system. The Liberal Party rejects the idea that a different kind of education is required for members of different races, and believes that true equality in education will be achieved only by sending children of all races to the same schools. Such a system will also enable children of different races to get to know one another, thus combating racial prejudice.

The educational system must afford full recognition

to all the languages of South Africa, and parents must be allowed a free choice of medium of instruction for their children. In order that the language problem should not lead to the re-introduction of racial segregation, children of different language groups should as far as possible be accommodated in parallel-medium schools.

The Liberal Party does not seek to impose complete uniformity upon the educational system, and will allow state-aided or unaided private schools to exist side by side with government schools.

In those schools which are financed wholly or partly by public funds, no racial discrimination will be permitted. The question arises whether any group which wishes to do so should be permitted to run purely private schools which will exclude members of other groups. Some Liberals maintain that the existence of such schools would be incompatible with the Party's principle of non-racialism, while others maintain that the prohibition of such schools would be contrary to the principle of individual freedom. So long as this division of opinion exists, the Party is content to leave the decision for the future.

In the field of university education, all institutions which receive state funds will be expected to serve all sections of the population. Apart from this proviso, universities will be allowed the maximum degree of freedom and will decide for themselves their medium of instruction, their syllabus and similar matters.

Among the primary objectives of a Liberal government will be the introduction of free, compulsory

education for all children, and the elimination of illiteracy, not only among the school-going generation but also among adults. To this end, a mass education movement will be inaugurated. The resources of the Education Departments will be augmented by special funds, by the recruitment of part-time teachers from all walks of life and by the large-scale production of good and cheap reading material.

The implementation of these policies will require more and better teachers. The Liberal Party will make opportunities available for those teachers who are at present inadequately qualified, to receive further training, and will endeavour generally to improve the status, payment and conditions of work of teachers. Discrimination on grounds of race, sex or marital status will be abolished. Teachers will be permitted to exercise all the ordinary rights of citizenship, including the right to participate in politics (provided they do not use their positions for the political indoctrination of their pupils.)

All teachers and pupils at state and state-aided institutions at all levels shall enjoy freedom of conscience.

LAND POLICY

The Land Policy of the Liberal Party is based upon two fundamental objectives:

1. *To increase the efficiency and productivity of agriculture and protect the land against erosion and*
2. *To remedy the present unjust situation in which the majority of our population is excluded from land ownership in the greater part of the country and to assist actively those who desire to live and work on the land to acquire ownership.*

These two objectives must be pursued concurrently and neither can be sacrificed to the other.

All laws which place racial restrictions on land ownership will be repealed. This alone will not suffice to remedy the present unjust distribution of the land, since the dispossessed majority lack the means to buy land on an open market. The government will therefore assist the process of redistribution. This will be done by means of taxation designed to discourage the concentration of large estates in a few hands and by enforcing the sale to the state of unused or under-developed land. Those who are willing and able to put

the land to good use, but lack the necessary capital, will be assisted by means of loans on long-term instalment plans and the provisions of the Land Settlement Act of 1912, as amended, will be made available to all.

The present exemption of agriculture from the provisions of the Wage Act and other labour legislation will be ended. Farmers will have to compete for labour with urban employers and will thus be compelled to use labour more efficiently.

The government will encourage, promote, and if necessary, direct soil conservation, agricultural education and the use of the most up-to-date methods and will provide such technical services and subsidies as may be necessary. State services to agriculture and agricultural education will be made available equally to all sections of the community. The Liberal Party recognises that past and present South African governments have had great difficulty in obtaining co-operation from rural Africans in agricultural betterment schemes which were in themselves beneficial. In the Party's opinion, these difficulties have been due mainly to two factors—the feeling of the African people that it is the restriction on their right to acquire land which is primarily responsible for the condition of the Reserves, and the fact that the schemes in question have been bureaucratically imposed without the consent of the people. The removal of all restrictions on the purchase of land and the existence of a democratic government which the people will regard as their own government, will go far to overcome such difficulties.

Co-operative marketing organisations such as already exist in South Africa will be encouraged, but will be open to farmers of all races and will be required to pay more regard to the interests of the consumer in their price-fixing policies.

The Reserves will be treated as an integral part of the South African economy. Attention will be paid to their development as areas which should produce food for the nation and a decent living for their inhabitants. The attempts of the present government to increase the population of these areas will be abandoned and the natural process of migration will be encouraged to reduce the population to more realistic levels. Within the reserves themselves, industrialisation and the consequent growth of towns will be encouraged.

The question of whether the reserves will eventually change over to a system of individual freehold tenure, or will retain some form of land tenure based upon tribal traditions, cannot be finally answered until the economic problems of these areas have been solved and the people fully consulted. A Liberal government will grant legal recognition to such forms of land tenure as may be devised by the people concerned, provided the soil and its productivity are protected. It will conduct research into various kinds of co-operative farming and will encourage the establishment of farmers' co-operatives which will make agricultural machinery, stud animals, seed and fertiliser available to members.

 FOREIGN POLICY

The Liberal Party will pursue an independent foreign policy, aimed at safeguarding the interests of South Africa, supporting the principles and the practical work of the United Nations, and supporting the right of all peoples to freedom and self-determination.

The most urgent problem of foreign policy facing South Africa is the establishment of constructive relations with her neighbours in Africa. South Africa's racial policies are the main obstacle to such relations and a democratic South Africa will be able to approach its neighbours on an entirely new footing. The establishment of diplomatic relations will be the first step and will be followed by economic, technical and other forms of co-operation.

The Liberal Party does not recognise any right of South Africa to incorporate South West Africa or the High Commission Territories. The peoples of these countries are entitled to decide their own future. If they should freely decide to join a greater South African union, their accession will be welcomed.

The Liberal Party favours the return of South Africa to the Commonwealth, provided the aims and ideals of the Commonwealth remain compatible with the principles of the Party.

 UNIVERSAL SUFFRAGE

by DR. EDGAR BROOKES

The fundamental argument for universal suffrage is the equality of man—the rights of human beings as human beings. In the moral and spiritual sense this is an invincible argument since infinity equals infinity and all souls are of equal moral worth before God and man. Nor can any arguments for inequality of intellectual capacity convince us. Why should they be brought into this matter in Africa and not in Europe, unless it be a despairing effort on the part of the white minorities here to protect their privileged position by pseudo-scientific arguments. All efforts to classify the intelligence of racial groups—efforts which seem to many of us inherently unsound and unscientific—break down on that anfractuosity of human nature which invariably insists on placing the investigator's group at the head of the list. A test which placed the average of the white American group higher than that of the negro American placed the Scots fourth only in the scale of human intelligence: could any more devastating argument be adduced?

But even if it were possible to measure the relative intelligence of races or nations, would this justify us in placing individuals of the lower group with their group and not according to their rating as persons? Moreover what arguments can be adduced for considering intelligence as the only test of political stature? Surely character counts. Must Machiavelli necessarily be placed above Brother Juniper? And no one has yet devised a method of measuring character. If they ever could, it would be as misleading as racial intelligence tests have been. The white man, in his humourless moments, would place high on the list justice, honesty, providence and perhaps courage and honour; but where would be put such qualities as love, light-heartedness, patient

endurance and worship, with which the Africans seem to be so splendidly endowed? If Brother Elias were the ideal, the white man at his best would rate high, but what if we were to be rated according to the standard of St. Francis of Assisi?

Where inequalities cannot be adequately measured, there is only one fair thing to do. It is to treat men as equals. And if men are to be treated as equals, where is the argument of principle against universal suffrage?

There is another strong argument in favour of giving all men the vote. It is that legislation affects all, and that any individual knows how legislation affects him with a poignancy not experienced in the same measure by anyone else. It is on the rock of this fact that benevolent paternalism has suffered shipwreck, and fundamentally the faults of paternalism have been unteachableness and lack of humility. Are these not still the faults of the voters who deny the unenfranchised the vote?

It would undoubtedly facilitate enfranchisement in multi-racial states like the Federation of Rhodesia and Nyasaland and the Republic of South Africa if the Africans and other disfranchised groups would accept gradualism. But this, if it could be done at all, could only be done if those concerned were assured that partial enfranchisement was a step to full enfranchisement at a fairly early date. The privileged white man would thus have to face the issue of universal suffrage, and he should face it frankly and honestly now. The chief fears surrounding it are those which assume the predominance of nationalism or racism in any multi-racial state. Here it may be said that nationalism, while a probability in the early stages of a newly-enfranchised country, is neither certain nor necessarily permanent and further that there is no more sure way of provoking black nationalism than the predominance of white nationalism.

Whatever course is taken, general education is, as Mill saw so clearly, an urgent necessity, whether it comes before or after the granting of the vote.

APPENDIX II

CONSTITUTION
OF THE LIBERAL PARTY
OF SOUTH AFRICA

1. NAME

The name of the Party is The Liberal Party of South Africa (Die Liberale Party van Suid-Afrika).

2. PRINCIPLES

- (i) The essential dignity of every human being irrespective of race, colour or creed, and the maintenance of his fundamental rights.
- (ii) The right of every human being to develop to the fullest extent of which he is capable consistent with the rights of others.
- (iii) The maintenance of the rule of law.
- (iv) That no person be debarred from participating in the government and other democratic processes of the country by reason only of race, colour or creed.

OBJECTS

- (i) Equal political rights based on a common franchise roll.
- (ii) Freedom of worship, expression, movement, assembly and association.
- (iii) The right to acquire and use skills and to seek employment freely.
- (iv) Access to an independent judiciary.
- (v) The application equally to all sections of the population of the principle of compulsory, State-sponsored education.

- (vi) The right to own and occupy immovable property.
- (vii) The right to organize trade unions and other economic groups and associations.

The Party will employ only democratic and constitutional means to achieve the foregoing objects, and is opposed to all forms of totalitarianism such as communism and fascism.

3. ORGANIZATION

The Liberal Party of South Africa shall consist of:

- (i) Provincial divisions with local branches.
- (ii) The National Committee of the Liberal Party of South Africa.

4. REGIONAL ORGANIZATION

- (a) Provincial Divisions may be constituted for each of the four provinces of the Republic and for South-West Africa. With the approval of the Provincial Division Committee and the National Committee, two or more branches may form themselves into a regional division. The Regional Division shall be under the general control of the Provincial Division, which may vary any of its decisions.
- (b) The existing regional associations and the committees or councils for Cape Western, Southern Transvaal and Natal shall become the provincial divisions and committees for the Cape Province, Transvaal and Natal respectively.
- (c) A Provincial Division shall have the power to make decisions and take action on its own account, but the National Committee may vary any decision of the Provincial Division.
- (d) A Provincial Division may make its own regulations as regards membership, election of office-bearers, constitution of committees, branches and sub-branches, holding of meetings, levying of subscriptions, organization of funds and discipline, constitution and holding of provincial congresses and other incidental matters, provided that no such regulations shall conflict with anything in this Constitution, and provided that each Provincial Division shall appoint a Provincial Committee.

- (e) Each Provincial Division shall make such contributions to the financing of the National Committee as may be decided by consultation between the Division and the National Committee.

5. PRESIDENT AND VICE-PRESIDENTS

- (a) A National President of the Liberal Party and three National Vice-Presidents shall be elected from the members of the Liberal Party by the delegates present at each National Congress, and shall hold office until the succeeding National Congress, when they shall be eligible for re-election.
- (b) If any vacancy occurs between one National Congress and another in the offices of President or Vice-President, the National Committee shall elect a successor from the members of the Liberal Party, who shall hold office until the succeeding National Congress.

6. NATIONAL COMMITTEE

- (a) The general control and management on the national level of the affairs of the Liberal Party shall be vested in its National Committee.
- (b) The National Committee of the Liberal Party shall consist of the following members:
 - (i) The National President and the National Vice-Presidents, *ex officio*;
 - (ii) Members of Parliament and of Provincial Councils who are members of the Party, *ex officio*;
 - (iii) one member representing each Provincial Division which has at least thirty members;
 - (iv) thirty additional members representing the Provincial Divisions in accordance with the provisions of subparagraph (e) hereof;
 - (v) such members of the Party as the National Committee may from time to time and in its sole discretion co-opt; provided that the total number of co-opted members

of the National Committee at any one time shall not exceed five.

- (c) The term of office of the National Committee shall last from 1st October of a particular year until 30th September of the succeeding year.
- (d) Each Provincial Committee shall elect the members to represent its Provincial Division upon the National Committee, in terms of sub-paragraphs (b)(iii) and (b)(iv) hereof, not later than 31st August of each year.
- (e) The number of additional members of the National Committee which a particular Provincial Committee shall be entitled, in terms of sub-paragraph (b)(iv) hereof, to elect to represent its Provincial Division thereupon shall be determined by the National Executive, and shall be calculated in accordance with the ratio, as at 30th June each year, between the number of members of the Party within the area of such Provincial Division and the total number of members within the Republic.
- (f) The National Committee shall meet as soon as practicable after 1st October each year, and thereafter during its term of office as and when summoned to do so by the National Executive; provided that the National Executive shall summon a meeting of the National Committee if requisitioned to do so in writing by not less than a majority of the members of the National Committee.
- (g) All members of the National Committee, whether *ex officio*, elected or co-opted, shall be entitled to move and second motions, to speak in debates, and to vote at all meetings thereof.
- (h) Members of the National Committee shall be entitled to delegate their votes by proxy to other members thereof; provided that no member of the National Committee shall be entitled to exercise at any one time more than two proxy votes so delegated.
- (i) At its first meeting after each 1st October, the National

Committee shall elect its officers from among its members, and such officers shall be:

- (i) a Chairman, who shall be called the National Chairman;
- (ii) two Deputy Chairmen, each of whom shall be called a Deputy National Chairman;
- (iii) a Treasurer, who shall be called the National Treasurer.
- (j) Co-opted members shall not be eligible for election as officers of the National Committee.
- (k) The officers of the National Committee shall hold office until the first meeting of the succeeding National Committee from that which elected them as such, when they shall be eligible for re-election, or until they cease to remain members of the National Committee, whichever event occurs earliest.
- (l) The National Committee may appoint such further office-bearers, such honorary officers or such paid officials, including a General Secretary, as it deems fit.
- (m) The National Committee may appoint sub-committees, consisting of members of the Party, for such purposes as it deems fit, and may delegate to such sub-committees such powers as it deems necessary.
- (n) The National Committee shall determine where the head office of the Party shall be situated.
- (o) One-third of the total membership, excluding co-opted members, of the National Committee shall constitute a quorum thereof; provided that no proxy votes shall be taken into account in calculating whether or not a quorum is present at any time.

7. NATIONAL EXECUTIVE

- (a) An executive committee of the National Committee, which shall be called the National Executive, shall conduct the business of the National Committee between each meeting thereof, and shall be vested with all the powers of the National Committee, save and except those provided for in paragraph 6(i) hereof; provided that the National Committee may, by

a simple majority vote, override or reverse any decisions of the National Executive.

- (b) The National Executive shall consist of the following members:
- (i) The National President, *ex officio*;
 - (ii) the National Vice-Presidents, *ex officio*;
 - (iii) the National Chairman, *ex officio*, who shall act as Chairman of the National Executive;
 - (iv) the Deputy National Chairmen, *ex officio*;
 - (v) the National Treasurer, *ex officio*;
 - (vi) the Chairmen of the Provincial Committees of the Party, *ex officio*;
 - (vii) one further representative for each of the Provincial Committees of the Party, elected as such by such Committees;
 - (viii) such paid officials of the Party as the National Executive may, at its sole discretion, decide to co-opt as non-voting members.
- (c) Six of the members of the National Executive shall constitute a quorum thereof; provided that no co-opted members or proxy votes shall be taken into account in calculating whether or not a quorum is present at any time.
- (d) The provisions of paragraph 6(h) shall apply *mutatis mutandis* in respect of the National Executive.

8. NATIONAL CONGRESS

- (a) A National Congress shall be summoned as and when the National Committee may decide; provided that not longer than a period of two years shall elapse between one National Congress and another; and provided further that the National Committee shall summon a National Congress if requisitioned to do so by an absolute majority of the members of any Provincial Division.
- (b) The delegates to a National Congress shall be:
- (i) the members of the National Committee, whether *ex officio*, elected or co-opted;

- (ii) three members of each Provincial Committee who are not members of the National Committee, and who have been elected as delegates by their Provincial Committees;
- (iii) one delegate for each twenty members of each local branch, who shall be elected as such by his branch; provided that if any branch has failed to elect some or all of its delegates by a date two weeks before that on which a National Congress is due to begin its sittings, the relevant Provincial Committee shall be entitled to nominate such delegates to represent such branch.

- (c) For the purposes of sub-paragraph (b)(iii) hereof, the number of members of a local branch shall be calculated as at a date 30 days before the date upon which a National Congress is due to begin its sittings.
- (d) All delegates shall be entitled to move or second motions, to speak in debate and to vote at a National Congress.
- (e) Any member of the Liberal Party shall be entitled to attend a National Congress as an observer, and shall be entitled, upon doing so, to all the aforementioned rights of a delegate, save and except that no observer shall be entitled to vote, unless he exercises a proxy vote in terms of sub-paragraph (f) hereof.
- (f) Any delegate shall be entitled to delegate his vote by proxy to any other delegate or to any observer; provided that no delegate or observer shall be entitled to exercise at any one time more than two proxy votes so delegated.
- (g) One-third of the delegates registered at a particular National Congress shall constitute a quorum thereof; provided that proxy votes shall be taken into account in calculating whether or not a quorum is present at any time.
- (h) Any resolution passed at a National Congress shall be binding upon the National Committee and upon all Provincial Committees.

9. MEMBERSHIP

- (a) Membership shall be open to all persons of the age of 16 and over provided that only those persons shall be admitted as members who subscribe to the objects and principles of the Liberal Party of South Africa.

- (b) Members shall be proposed by a member of the Party and shall be admitted only after approval by the Provincial Committee, provided that the National Committee may reject the admission of any member.
- (c) Applications for membership shall be made to the Provincial Committee of the Division concerned, and shall be accompanied by a signed declaration in the following form:

I, the undersigned, being over the age of 16 years, do undertake to uphold and further the principles and objects of the Liberal Party of South Africa as stated in the constitution. I do further hereby acknowledge acceptance of the constitution of the.....
Provincial Division of the Liberal Party of South Africa, as well as the main constitution of the Liberal Party of South Africa.

10. DISCIPLINE

- (a) Any member, Branch or Provincial Division shall have the right to appeal to the National Committee in any dispute affecting him/it, and the decision of the National Committee shall be final.
- (b) The National Committee further has the right to intervene in all disputes which affect the interests of the Party and give a decision thereon.

11. FUNDS

- (a) All funds accruing to the National Committee shall be deposited in a bank account to be approved by the National Committee. No money may be drawn from the said account except on written application signed by two of the following members of the said Committee, namely, Chairman, Vice-Chairman, Secretary and Treasurer. All cheques and other negotiable instruments shall be signed in a similar manner.
- (b) Proper books of account of the National Committee shall be maintained, so as to reflect at all times a true statement of the affairs of the National Committee.

- (c) Such books of account shall be examined annually by a person appointed by the National Committee, and shall be tabled at a meeting of the National Committee held in terms of Clause 5(c).

12. DISSOLUTION

The Party shall be dissolved on resolution of two-thirds of the total membership of the National Committee. On such dissolution the assets and funds of the Party shall be paid to such organizations as the National Committee shall determine.

13. AMENDMENT

This Constitution may be amended by a majority of the total membership of the National Committee, provided that the programme of principles of the Party as set out in Section 2 hereof and the provisions of this Section 13 and of Section 12 shall only be changed, amended, repealed or added to by a resolution approved by three-quarters of the members of the National Committee and a majority of Provincial Divisions after a general meeting called by the Committee of each Provincial Division for the purpose, after due notice of the proposal has been given.

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APPENDIX III

SUPPLEMENT TO
CIVIL RIGHTS POLICY

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Below is a list of some of the principal South African statutes which offend against Human Rights and a statement of the Liberal Party's attitude to them. A more detailed statement of the provisions of these Acts, and of others which discriminate, and of the Party's attitude towards them, may be had on request from any Party office.

1. NATIVES (URBAN AREAS) CONSOLIDATION ACT, No. 25 of 1945 as amended.
This Act is discriminatory, it vests power in petty officials, casts a heavy onus on suspected Africans and provides no automatic review by the courts. It violates freedom of movement. *Policy*: Total Repeal.
2. PUBLIC SAFETY ACT No. 3 of 1953
Provides for the declaration of States of Emergency, arrest and detention without trial, the making of regulations of virtually unlimited application, and the suspension of existing laws. *Policy*: Total repeal.
3. NATIVE ADMINISTRATION ACT, No. 38 of 1927, as amended.
Gives arbitrary powers to the Administration, is discriminatory and infringes freedom of speech, assembly, domicile, movement and of appeal to the courts. *Policy*: Repeal of the offending sections.
4. SUPPRESSION OF COMMUNISM ACT, No. 44 of 1950, as amended.
Infringes the Rule of Law, freedom of movement, thought and

- conscience, of opinion and expression, of peaceful assembly and association. *Policy*: Total repeal.
5. CRIMINAL LAW AMENDMENT ACT No. 8 of 1953.
Provides extreme penalties for offences committed by way of protest against a law and for incitement to commit such an offence. *Policy*: Total repeal.
 6. NATIVES (PROHIBITION OF INTERDICTS) ACT, No. 64 of 1956.
Deprives Africans of the elementary common law right to obtain a court order restraining the enforcement of an order of removal or eviction which has been unlawfully issued. *Policy*: Total repeal.
 7. DEPARTURE FROM THE UNION REGULATION ACT, No. 34 of 1955.
Forbids citizens to leave South Africa without a passport or exit permit, issue of which rests entirely with the Minister of the Interior. *Policy*: Total Repeal.
 8. THE "PASS LAWS".
These Acts are discriminatory, offend against freedom of movement, and are an affront to individual dignity. *Policy*: Total repeal.
 9. NATIVES LAND ACT, No. 27 of 1913, and the NATIVE TRUST AND LAND ACT, No. 18 of 1936.
Severely restrict ownership and occupation of land by Africans. *Policy*: Total repeal, with the reservations laid down in Land Policy.
 10. GROUP AREAS ACT, No. 41 of 1951 as amended.
This Act is discriminatory and provides for enforced segregation in the ownership and occupation of property. *Policy*: Total repeal.
 11. PROHIBITION OF MIXED MARRIAGES ACT, No. 55 of 1949.
Denies the right of an individual to marry the person of his choice. *Policy*: Total repeal.
 12. IMMORALITY ACT, No. 23 of 1957.
Section 16 makes carnal intercourse between white and non-white persons an offence. *Policy*: Repeal of Section 16.

13. INDUSTRIAL CONCILIATION ACT, No. 28 of 1956.
Restricts the right of workers of different races to associate in trade unions and provides for the reservation of employment on racial grounds. *Policy*: Amendment of the Act to conform with Liberal Party Labour Policy.
14. RESERVATION OF SEPARATE AMENITIES ACT, No. 49 of 1953.
Authorizes the provision of separate and unequal public facilities for members of different groups. *Policy*: Total repeal.
15. POPULATION REGISTRATION ACT, No. 30 of 1950.
Provides for the keeping of a Population Register based on racial classification. *Policy*: Total repeal.
16. BANTU EDUCATION ACT, No. 47 of 1953.
Excludes African children from the main educational stream and seeks to provide them with an education which will fit them for a special and inferior place in society. *Policy*: Total repeal.
17. EXTENSION OF UNIVERSITY EDUCATION ACT No. 45 of 1959 & UNIVERSITY COLLEGE OF FORT HARE TRANSFER ACT, No. 64 of 1959.
Enforce segregation on racial lines in University education. *Policy*: Total repeal.
18. UNLAWFUL ORGANISATIONS ACT, No. 34 of 1960.
Infringes the right of free political association. *Policy*: Total repeal.
19. NURSING ACT, No. 69 of 1957.
Discriminates against non-white nurses on racial grounds. *Policy*: Total repeal.
20. PROMOTION OF BANTU SELF GOVERNMENT ACT, No. 46 of 1959 & URBAN BANTU COUNCILS ACT, No. 79 of 1961.
Provide for the removal of African representation from Parliament and its diversion into rural and urban councils with local powers. *Policy*: Total repeal and the introduction of the Liberal Party's Franchise Policy.