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'FRANKLY FRIGHTENED': THE LIBERAL PARTY

AND

THE CONGRESS OF THE PEOPLE

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The object of this paper is to strongly dispute the mythology which has come into existence regarding the non-participation of the Liberal Party in the Congress of the People (C.O.P.), and their subsequent rejection of the Freedom Charter. This mythology has been articulated both by former Liberal Party members, and by commentators such as Janet Robertson. Former Liberal Party (LP) leaders have repeatedly attempted to obscure the issues by claiming that they were invited to co-sponsor the C.O.P. only so as to make work a pre-existing plan, over which they were offered no control.¹ Participation in the campaign would thus have been "frightfully dangerous".²

More to the point, though equally obscuring, Alan Paton has frequently discussed the incompatibility of the Liberal Party and the Congress of Democrats (COD), a factor which he ascribes to differences of 'temperament'.³ Since the COD were one of the four original sponsors of the C.O.P., Liberal co-sponsorship was rendered impossible. Janet Robertson, while accepting the fact that rejection of co-sponsorship of the C.O.P. and subsequently of the Freedom Charter was damaging to the LP by leading to a 'deterioration' in relations with the Congresses, has attempted to argue that (unspecified) Liberal welfare work drew the Party closer to the Congresses and laid the basis of the 1960's 'radicalisation' of the Liberal Party.⁴ Paul Rich preferred not to raise the issue at all.⁵

In this paper it will be argued that the series of Liberal Party manoeuvres over the C.O.P. amounted to the most damaging course the Party could have taken, as they moved from full participation in and a consideration of co-sponsorship of the C.O.P., to unofficial participation, and finally to non-

¹ See for example Peter Brown: The Liberal Party: A Chronology With Comment (Liberal Party Workshop, Grahamstown, 1985); see below; also stressed in interviews with Brown, Paton, Wollheim, Gibson.

² A410 82.11: Walter Stanford to Margaret Ballinger, 19/3/1954.

³ See for example Hope For South Africa, pp76-77 (Pall Mall, London, 1958); see also Paton's new autobiography, to be published later this year.

⁴ Janet Robertson, Liberalism in South Africa 1948 - 1963, see chapter VIII; Robertson, moreover, bases her evidence regarding the withdrawal of the LP from the C.O.P. entirely on an interview with Peter Hjul, a not unbiased commentator.

⁵ Paul B. Rich, White Power and the Liberal Conscience, (Ravan, Johannesburg, 1984); see pp123 - 137, where one could reasonably expect such a discussion.

participation ordered by the Party's Executive Committee.⁶ Secondly, it will be argued that the invitation to co-sponsor the C.O.P. was the last chance the LP had to prove its 'good faith', and to avoid marginalisation from the mass struggles of the 1950's. Congress hostility attended the formation of the Liberal Party both because it was seen to have been launched in opposition to the Congress of Democrats, and because the Party adhered to a qualified franchise and (reacting against the Defiance Campaign) constitutionally bound its members to use 'only democratic and constitutional means' to oppose apartheid.⁷ The Congresses rejected the "profound sympathy" with their goals which the Liberals expressed in their 1953 programme⁸, calling rather for full identification with and involvement in Congress campaigns.⁹

Thirdly, it offered the LP the chance to heal the breach which had existed from the time the Party was launched, between the LP and both the A.N.C. and the COD. Congress Alliance leaders accepted that the LP was widely held to be a more 'respectable' body than the COD, mainly due to the large number of well-known figures among the LP leadership such as the Ballingers, Donald Molteno, Alan Paton and Leo Marquard, and made it clear to the Party that their participation was particularly desirable since it could well lead to other, more conservative organisations, joining the campaign.¹⁰ The Liberals themselves accepted this view¹¹, and thus in many ways carried a special responsibility regarding both the C.O.P. itself, and their own claims to support Congress aims. It was a responsibility they shirked.

⁶ Transvaal Liberals were appalled when, following the Labour Party's rejection of co-sponsorship, that Party nevertheless sent both observers and a message of support to the Kliptown Congress.

⁷ L.P. Constitution, A/1671-mfm-Reel 1.

⁸ L.P.A/1671-mfm-Reel 1: 'Relations With Other Organisations': a considerable debate took place at the 1953 National Congress as to whether the ANC and SAIC should be mentioned by name in the policy.

⁹ See Nelson Mandela's attack: 'Searchlight On The Liberal Party', in Liberation, June 1953; see also C.O.D. pamphlet The Threatened People (COD 1954).

¹⁰ Ballinger papers A410/F3.8.3, Report of meeting between LP and National Action Council (NAC) delegations; Marion Friedmann to the National Committee, 5/8/1954. See also pp16-19 below.

¹¹ *ibid.*: the report of the L.P./NAC meeting was, significantly, written by Marion Friedmann and Margaret Ballinger; see also pp18-19 below.

This paper closely charts the reasons for Liberal non-involvement in the Congress of the People. From this a more detailed view of the dynamics at work within the LP will emerge than is provided by either Liberal writers themselves or their commentators. The reasons for Liberal non-involvement need to be assessed in terms of both the public assertions of the Liberals and the unfolding of contemporaneous events. Above all, the internal dynamics of the Party, and in particular their 1954 National Congress, set the course of events and shed light on the way in which the LP became marginalised from the struggles of the 1950's. This paper is based on extensive research into the Liberal Party and, by allowing the Liberals to speak for themselves to a large extent, attempts to set the record straight regarding their non-involvement in the C.O.P. and subsequent rejection of the Freedom Charter. My evidence is taken from both primary documents and interviews with leading LP figures from the period.¹²

Internal Disunity and Anti-Communism.

The Liberal Party was formed out of a wide variety of groups and individuals, most of whom had been members of the South African Liberal Association (SALA), formed in 1952 to co-ordinate the liberal groups which had sprung up across the country. The Cape members were the predominating influence within the SALA, and within the LP for the early years of its existence. These members situated themselves directly in what they saw as the 'Cape liberal tradition' of the 19th century, with a colour-blind qualified franchise as the cornerstone of their political outlook. They followed the lead given by the Native Representatives in parliament, particularly Margaret Ballinger. The Transvaal LP attracted a considerable number of very different members. Jock Isacowitz - ex-Communist Party member and former Springbok Legion Chairman - became LP Transvaal Chairman in 1953, but stepped down in late 1954 to allay Cape anti-communist fears. Active in

¹² Primary documents include the twelve reels of L.P. microfilm (A/167?), IRR archive (restricted access) held at Wits; the Ballinger papers (A410, BC345) held at both Wits and U.C.T.; the private papers of Helen Joseph; the Marquard papers (BC587) at UCT; the Moltano papers (BC579) at U.C.T.; the Paton papers (AD1169) at Wits; the Wollheim papers (BC627) at UCT; Jill Wentzel also kindly gave me access to her private collection of Ernie Wentzel's papers. Another useful collection were the Doug Thompson papers at Wits (A1931). Interviews include Alan Paton, Peter Brown, Oscar Wollheim, Jimmy Gibson, Jack Unterhalter, Jill Wentzel, Harry Oppenheimer, Helen Joseph, and Pieter Beylveid.

Natal were members such as Violaine Junod and Hans Meidner, both certainly socialist and with a sympathy for 'the left'¹³. Despite the LP's attraction of individual members with a 'left' allegiance, the Party as a whole is correctly perceived as suffering a perception of 'the left' heightened almost to the point of paranoia. In contrast, the Party with some satisfaction regarded and defined themselves to the left of the United Party 'progressives' such as Colin Eglin and Bernard Friedmann (former SALA members). For many the Liberal Party represented 'the last leg of decency before the cranks', the Congress of Democrats.¹⁴ For most LP members the COD was regarded, throughout its existence, as little more than a 'communist front'. This was (and is) explained by pointing to the large number of ex-CP members within the organisation. This outright dismissal of the Congress of Democrats, in terms of personalities and membership rather than programme and principles, suggests a further reason for the marginalisation of the LP.

The 'Cape conservatives' - as the bulk of the Cape membership came to be known - in particular exhibited a rampant anti-communism. Their uncompromising stand on the nature of the COD was related to their refusal to be 'pushed left' on many issues - particularly the qualified franchise. Margaret Ballinger, Donald Moltano, Oscar Wollheim (defeated candidate in the 1948 Native Representative election), along with Walter Stanford and Leslie Rubin (Native Representatives after 1954) were the leaders of this group. Leading a small opposition group within the Cape was Jimmy Gibson, supported by Peter Hjul.¹⁵ Gibson endorsed and argued for a universal franchise, and for a flexibility on the question of extra-parliamentary

¹³. Junod spearheaded the 'radical' challenge from Natal, campaigning for changes in the economic, franchise, and extra-parliamentary policies of the LP; Meidner, less vocal, championed the same causes. Added information from Peter Brown interview.

¹⁴. A phrase repeated in conversation by a number of leading L.P. members.

¹⁵. Gibson was the L.P. candidate in the Cape Western Native Representative elections of 1954, unsuccessfully opposing both Ray Alexander and Len Lee-Warden of the C.O.D. Peter Hjul was his election agent. Both were members of the Cape Provincial Committee of the L.P., Gibson also an Executive Committee member. Gibson was a highly significant figure in the early years of the Party, in that he was the 'radical' spokesman in the Executive for the whole L.P., which otherwise consisted of the conservative leaders listed above.

opposition.¹⁶ Like the conservative leadership, however, Gibson was fiercely anti-communist. The Cape LP membership, both 'conservative' and 'radical' wings, combined behind a highly aggressive anti-communism. This position was enshrined in the Party's Constitution, in a phrase inserted on the insistence of Cape members¹⁷ which stated that "...the Liberal Party is opposed to all forms of totalitarianism such as communism and fascism".¹⁸ Calls for the deletion of this phrase, however, came from Natal and Transvaal members who sought a closer working relationship with the COD, and others who wished to tone down the anti-communist attacks levelled at the other Congresses. Such moves were defeated and, it appears, merely reinforced Cape suspicion of such members as Isacowitz and Junod.¹⁹

Policy programme and strategy.

Once launched, the LP moved immediately into policy formulation, disregarding the advice of Party leader Margaret Ballinger and National Chairman Leo Marquard, who called first for a development of the Party's central machinery and a stabilisation of finances. It was precisely this insistence on immediate policy formulation and the conflict which attended the process, that saw the LP, within a year of formation, deeply divided and close to collapse. The widely felt desire to contest elections necessitated rapid policy settlement. The LP had, on formation, adopted the 'Principles and Objects' of the SALA. Even though the Party had not attracted the more radical SALA members such as Guy Routh or Trevor Huddleston, there existed widespread disagreement over fundamental policy issues, in particular the SALA's qualified franchise. The relative ease with which conflicting viewpoints had been contained within the federally structured SALA for the few months of its existence was impossible within the Cape dominated unitary

16. Gibson championed these causes from 1953 to 1956; he thereafter left the Executive, and finally resigned from the L.P. over the Party's endorsement of the overseas boycott in 1959. (A/1671-mfm-Reel 1, minutes of the Executive Committee 1953-1959).

17. op cit Peter Brown: The Liberal Party.

18. L.P. Constitution, A/1671-mfm-Reel 1.

19. See for example the Wollheim/Ballinger correspondence (Ballinger Papers A410/B2.11); Wollheim repeatedly claims Junod (and others) to be 'out of touch' with the general membership of the LP, and claims that the Transvaal will regret appointing Junod as their Organising Secretary due to her insistent "meddling in policy".

structure of the LP. Considerable conflict attended the SALA meeting of 8-9 May, 1953, over the issue of forming a new political party and, once formed, internal conflict became the defining characteristic of the LP during the 1950's. The process of policy formulation was one which continued into the 1960's as disputes over the franchise, extra-parliamentary means, economic policy, anti-communism and others remained unsettled and the focus for much of the Party's energy - particularly in the Cape and Transvaal which, allowing for generalisation, coincided geographically with the opposing sides in many of the disputes. It was only in Natal that excess energy was not wasted on internal conflict.²⁰

The 'Cape conservatives' regarded the 1953 qualified franchise settlement as a compromise, in lowering the qualifications to answer objections to the qualified franchise which came in from the Transvaal in particular.²¹ At the second, 1954, National Congress, the Cape conservatives were thrown into uproar when a resolution accepting the 'ultimate objective' of a universal franchise - still qualified by an interim period during which a qualified franchise would operate - was passed.²² The Cape Provincial Committee split on the franchise change, with the Gibson group jubilant and pushing for further changes. The same Congress, however, upheld the constitutional phrase which bound the LP to use 'only democratic and constitutional means'²³ to achieve its objects. The Cape leadership saw their victory in binding the LP to parliamentary means as of a far deeper strategic

20. Natal settled almost immediately into grass-roots resistance work alongside the Congresses, most notably in opposing the 'blackspot' removals and the Group Areas Act; this is reflected in the membership figures which increase annually at 70% to 1957, predominantly black members.

21. The agreed 1953 qualifications were completion of Standard VI (where the Cape had wanted Std VIII), or annual income not less than 250, or ownership of fixed property valued at not less than 500, and a special tribunal to assess those who did not qualify under the above but had "rendered meritorious service to the community".

22. A/1671-mfm-Reel 1, Minutes of the 1954 National Congress; the minutes do not, unfortunately, give voting figures. However, a letter from L.P. Secretary Joan Boerne to Margaret Ballinger (A410/B2.11, 26/7/1954) suggests that the majority in favour was substantial.

23. A/1671-mfm-Reel 1, L.P. Constitution.

significance than the franchise change.²⁴ For them and their supporters the Defiance Campaign had showed that the end result of extra-parliamentary campaigns was violence and harsh state repression. The conflict between the Cape and Transvaal on these two issues intensified and by late 1954 was described as having reached 'crisis' proportions.²⁵

The second defining but unifying characteristic of the early LP was a deep suspicion of 'the left'. Communist influence was perceived as active not simply in the COD, but in the Congress Alliance as a whole, through known communists such as Dadoo and Kotane, and - an accusation the PAC repeated in 1959 - through the supposedly insidious influence of the leading communists within COD such as Cecil Williams, Joe Slovo, and Braam Fischer. Appeals by the COD for joint LP/COD action on specific issues - involvement in which was the basis of the LP's 'Relations With Other Organisations' policy - were rejected out of hand.²⁶

The virulent anti-communism within the LP led the conservatives to align the activities of the 'radicals' - who pushed for a universal franchise and involvement in extra-parliamentary activities - with 'communist' tactics. In this way, the 1954 adoption of a conditional universal franchise was blamed on the gerrymandering of ex-CP member Jock Isacowitz, who chaired the National Congress.²⁷ A more startling accusation was that levelled against Jimmy Gibson who, as a result of his Cape western election campaigns, began to draw in increasingly large numbers of African members. Despite the fact that anti-communism was a central plank of Gibson's election platform²⁸, Oscar Wollheim (LP Chairman following the resignation of Leo Marquard) wrote to Margaret Ballinger that he was "perturbed" by the increase in black

24. See for example A410/B2.11, Leslie Rubin to Margaret Ballinger, 17/4/1954.

25. See for example Wollheim to Ballinger 30/9/1954 (A410/B2.11)

26. See for example the LP/COD correspondence July-December, 1954 - A/1671-mfm-Reel 1, National and Executive Committee correspondence.

27. See for example A410/B2.11 Wollheim to Ballinger 9/8/1954; A410/B2.11 Hope Pittman to M. Ballinger, 2/8/1954.

28. Interview with Gibson.

membership, and feared Gibson was "doing it with a purpose".²⁹ In similar fashion, the on-going franchise disputes led the Cape Provincial Committee to take a determined stand against 'the radicals'. The change in franchise policy had taken place in the middle of LP candidate Peter Charles's election campaign in the South Peninsular seat; the decision of the National Congress was rejected by the Cape Committee which decided to continue the campaign on the basis of the 1953 qualified franchise. A member of the committee wrote to Margaret Ballinger explaining that "by taking this stand we may be able to get rid of the Communist gang".³⁰

It was at the height of these internal disputes that an invitation arrived from the National Action Council of the Congress of the People, inviting the LP to co-sponsor a planned "national assembly" which would represent "the widest possible cross-section" of the population and which would draw up and endorse a "Freedom Charter" embodying the desires of the people as expressed and formulated by the people.³¹

'Liberals' and the idea of a National Convention

The Liberal Party's rejection of co-sponsorship and ultimate non-participation in the C.O.P. was the result of a number of conflicts within the Party, some of immediate consequence and others representing long-standing debates in liberal thought in South Africa. The most significant of the latter was the idea of a new national convention on non-racial lines to correct the racial imbalances of the original 1908-1909 Convention, called for by liberals from the 1940's onwards. These calls continued through into the 1950's, the most significant coming from Native Representatives Edgar Brookes and Margaret Ballinger, following the May Day riots of 1950. The United Party (UP) refused to support Ballinger's motion calling for a debate on the riots, preferring to fall in line with Prime Minister Malan's apportioning of blame to unspecified 'Communists'. Granted a private interview with Malan, Brookes and Ballinger placed before him "the need for

29. A410/B2.11, Wollheim to Ballinger, 10/9/1954.

30. A410/B2.11, Hope Pittman to M. Ballinger, 16/7/1954.

31. A/1671-mfm-Reel 3: NAC Invitation to co-sponsor the C.O.P., 6/7/1954.

non-party consideration of Native administration".³² Their call, however, rapidly became identified with the expressed desire of the UP that 'Native affairs be taken out of politics'.³³ What Margaret Ballinger actually wanted, however,

was the sinking of party differences and for a round table conference between all parties, including the Africans, to see what can be done...to re-establish confidence among White and Black alike.³⁴

The call was supported by Labour Party leader John Christie, and by Harry Lawrence of the UP. Former Director of the Institute of Race Relations J.D.Rheinnalt Jones had been empowered to inform Malan of a similar call to that of Brookes and Ballinger from a Rotary Club conference, and added his name to their request. With them, he rejected the claim that apartheid was the sole cause of the disintegration in race relations, and saw the cause of conflict as stemming from the "fierce political partizanship" which attended debates on racial issues, and from the exclusion of black leaders from all policy making.³⁵ Lacking UP support, the idea of a national convention fell away. It was picked up again in 1952 by Leo Marquard, well-known author and publisher who, as head of the Army Education Service during the war had repeatedly stressed the need for a reformulation of race policies. Marquard argued that thinking on racial issues had fallen "into a rut", and that "we have failed lamentably in the matter of political integration". Again, the most serious problem was "the lack of political contact between the races", the only solution to which had become "(the) urgent matter for the leaders of all population groups to meet in a new national convention"³⁶.

The most radical component of these calls from liberals for a new national convention lay in the appeal for black leaders to be brought into the debating forum as a preliminary to their gradual inclusion into state structures, as extrapolated from the Fagan Commission report. It also represented an attempt on the part of the liberals to steer the debate away

³² Cape Argus 3/5/1950.

³³ See for example Cape Argus leader article 4/5/1950.

³⁴ Rand Daily Mail 4/5/1950.

³⁵ A410/B2.5.3 (file 3): copy of letter J D Rheinnalt Jones to Malan, 5/5/1950.

³⁶ Marquard Papers (UCT) BC587 H2.14., nd 1952.

from the party political arena into the middle ground of a 'round table conference'. The idea of a new national convention remained a consistent thread in Liberal Party thinking from formation through the 1957 Multi-Racial Conference to the Natal Convention and subsequent Convention Movement. To the credit of the Institute of Race Relations (IRR), and rarely mentioned, is the fact that it took the first steps towards the setting up of a new national convention. In the first weeks of August, 1953, a private conference was held at Adams College in Natal.³⁷ Eight African and eight white figures were invited to attend, to discuss "the question of how Africans can be more fully associated with the government and development of the country".³⁸ According to the invitation, those invited were "selected on the grounds of their individual worth and not because they represent any particular organisation" while at the same time being "representative of various trends of thought"³⁹. The African members included Albert Lutuli (who did not attend), Xuma, Moroka, and Z.K. Matthews of the ANC. Amongst the whites invited were Leo Marquard, Winifred Hoernle, the industrialist van Eck, and Professor Keet of Stellenbosch. The linking thread with the Fagan Commission was made clear in the invitation to the conference, which stated that the question of increased African participation in government was one that "at the present pace of development" all political parties would be "brought up sharply against". They would also be forced to acknowledge that the issue "will not be solved by political slogans".⁴⁰ The Conference represented an attempt to find, on the basis of the Fagan report, some common ground between the left-wing of the United Party and the conservative element in the A.N.C. leadership. This was made more urgent by the radicalisation of the A.N.C. and the then recently ended Defiance Campaign.

The Conference managed to agree on certain short-term economic reforms such as the extension of the provisions of the Industrial Conciliation Act to Africans, and condemned the migratory labour system - both part of the

³⁷. The Institute attempted to coincide the conference with the general election of 1953 but were unable to do so (see BC587 E1.26 for the correspondence between Leo Marquard and Quintyn Whyte of the IRR).

³⁸. BC587 E1.26, Invitation to the Conference, 13/5/1953.

³⁹ *ibid.*

⁴⁰ *ibid.*

United Party policy before its electoral defeat in 1948. On the fundamental issues - political rights and the franchise - there was no agreement. The white members of the conference suggested a number of different possible franchise proposals, all based on the qualified franchise but with a variety of different qualifications. One of the proposals, presumably put forward by Marquard, was the then LP (qualified) franchise policy. All were rejected. The African members made it clear that only the universal franchise was acceptable, and that a Separate Roll was out of the question. The Conference ended after four days of discussion, concluding that

The attitudes of Non-European members of the Conference was that they would not be able to take part in furthering the attainment of the alteration of the present franchise laws along one or other of the...lines suggested by European members. They indicated that, if the European members wished to work for alteration along those lines, this was the concern of the European members.⁴¹

This dress-rehearsal between liberals and the 'conservative ANC' must clearly have influenced the Liberal Party's later decision to distance themselves from the C.O.P., which was an extra-parliamentary campaign and one in which the Liberals could not control the agenda or the outcome.

Despite the inability of black and white to agree on fundamental issues, the Conference ended with a unanimous call for the IRR to convene "further inter-racial conferences" which would include representatives of the other racial groups and which would be "preliminary to a National Convention"⁴². By the time the IRR began organising an agenda conference preliminary to a national convention, Z.K. Matthews had made his now famous speech at the Cape conference of the ANC, one week after the IRR Conference had ended, calling for the Congress of the People. The C.O.P. was intended to capitalise on the successes of the Defiance Campaign, in particular the mobilisation of and increase in Congress membership resultant from the campaign. The C.O.P. was thus also to be an extra-parliamentary campaign and was, as Z.K. Matthews put it, to "galvanise the people of South Africa into action and make them go over to the offensive against the reactionary forces

⁴¹ Marquard Papers BC587 E1.52: 'Note On The Discussions on Franchise Rights'.

⁴² Marquard Papers BC587 E1.49: Minutes of Discussion, 6/8/1953.

at work within this country, instead of being perpetually on the defensive".⁴³ By the end of the year, the ANC had taken the initiative. Doubtless affected by the polarisation of views even within the entirely informal structure of the IRR Conference, Matthews threw down the gauntlet to the white liberals and made it clear that the C.O.P. would be representative not of organisations but of individuals - a major departure from previous proposals. The potential radicalism of this feature, added to the fact that the Congresses were to be in the driving seat, made it quite clear that despite the obvious benefits of involvement in the campaign, the same policy issues which had so divided the Liberal Party would again have to be faced. Having lost the initiative, however, they would be working from a position of weakness if co-sponsorship were accepted.

The Congress of the People was first discussed by the LP National Committee in late February, 1954, following receipt of the resolutions of the 1953 A.N.C. Conference. The minutes reveal the extreme caution with which the Committee viewed being associated with Congress:

In the event of the Party receiving an official invitation to this Congress, the Committee felt that if, after careful consideration of the whole situation, it was at all possible to participate in the Congress without danger to the Party, it should do so.⁴⁴

Five months later, on July 6th, roughly coinciding with the LP National Congress, the NAC invitation to co-sponsor the C.O.P. arrived. Four days after receiving the invitation, the LP responded positively to the C.O.P. plan. Writing to Walter Sisulu, NAC secretary, the Party expressed a determination "to give every assistance in its power to the formulation of a Freedom Charter", and issued a press statement to this effect.⁴⁵ The LP agreed initially to 'participate' in the C.O.P., and announced a delegation to meet the NAC to discuss the issue of co-sponsorship. The NAC revealed a keenness regarding LP participation in the C.O.P., in expressing a desire to arrange the NAC/LP meeting in time for the LP to attend as members the forthcoming National Action Council meeting, scheduled for August 1954. It would appear that the NAC felt the participation of the Liberal Party, with

⁴³ Quoted in Z.K. Matthews, Freedom For My People, p176 (David Philip, Cape Town, 1981).

⁴⁴ A410/F3.6, Minutes of LP National Committee, 27-28/2/1954

⁴⁵ A/1671-mfm-Reel 3, J. Boerne (LP Secretary) to W.M. Sisulu, 10/7/1954.

the involvement of such figures as Margaret Ballinger, Leo Marquard, Donald Molteno and others, would draw support and involvement in the C.O.P. from the churches, the IRR and other such moderate organisations.⁴⁶ Moreover, while giving added weight to the final Charter, such involvement could conceivably temper State repression expected from such an initiative.

The NAC invitation was first discussed by the LP National Committee which met between July 9th and 12th, while the Party's National Congress was taking place; the Committee was itself deeply divided by the polarisation taking place within the LP over the franchise and other issues. The immediate reaction of the National Committee upon receipt of the invitation to co-sponsor the C.O.P., however, was to accept. The Party Congress gave generalised support to the initially positive response of the LP, despite the fact that the C.O.P. was clearly to be an extra-parliamentary campaign. The possibility of forging links with the Congresses was clearly a motivating factor⁴⁷, as it was only in Natal that any rapport had been established between the LP and the Natal ANC and NIC.⁴⁸ Approaches to the Congresses by the LP in the Cape and Transvaal had come to nothing. The NAC invitation clearly offered the LP an unparalleled opportunity to 'show willing' and prove the sincerity of their claim to fully support the aims of the Congresses. The polarisation within the LP, however, stopped the Party from seizing the opportunity despite recognition of the importance of such a move. This failure, moreover, resulted in the isolation of the LP and their being linked with opportunist and reactionary forces. For, as the C.O.P. plan of campaign explicitly stated:

Those people and those organisations who refuse to take part, will stand exposed as fearing the democratically expressed opinions of the majority of South African citizens, and will lose the support and (allegiance) of all decent freedom-loving people.⁴⁹

In the face of National Committee enthusiasm, however, Leslie Rubin of the Cape and his supporter Leslie Cooper of the Transvaal counselled caution.

46. See footnotes 10 and 11, page 2.

47. A/1671-mfm-Reel 1: Minutes of the 1954 National Congress; *ibid.* National Committee minutes.

48. See footnote 20.

49. A/1671-mfm-Reel 3, C.O.P. Plan of Campaign, nd. (? July 1954).

They argued that far more needed to be known about the control and direction of the NAC and C.O.P. before the LP could commit itself to co-sponsorship.⁵⁰ In place of this early commitment it was finally agreed that a letter welcoming participation (as above) be sent and elected a delegation consisting of Isacowitz, Cooper and Marion Friedmann of the Transvaal, with Margaret Ballinger, to meet the NAC and discuss the possibility of co-sponsorship in the light of Rubin and Cooper's cautionary remarks. As Margaret Ballinger commented, their job was to assess the whole of the C.O.P. plan and "...try...to see its full implications are considered here before we make decisions".⁵¹

In the meantime, the overriding concern of the LP Executive after the Congress was their attempt to entirely restructure the Transvaal leadership. They hoped to replace the 'radicals' under the leadership of Isacowitz with such figures as former UP MP Leslie Blackwell, and Ralph Parrott of the Torch Commando.⁵² In these circumstances the whole question of participation in the C.O.P., championed as it was by the Transvaal, became a tactical issue within the LP. While this was not true of the way many LP members generally viewed C.O.P. participation, it clearly marks the actions of the leading actors in the internal LP struggle, most notably Oscar Wollheim and Jimmy Gibson (see below).

The position was further complicated by the Party's rampant anti-communism which, although almost universal in the Cape was by no means confined to that Division of the Party. From the evidence, 'communism', in this context, was a largely undefined, nebulous concept. In some instances it was personally linked and specifically directed at former members of the (disbanded) Communist Party, but in general the LP's anti-communism can be seen more in terms of methods than aims. The Liberal Party demonstrated their anti-communism in two ways: firstly, by a strongly anti-communist propaganda directed at the GOD in particular, though in some instances

50. A/1671-mfm-Reel 1, Minutes of National Committee meeting, 9-12th July, 1954.

51. A1671-mfm-Reel 3; Margaret Ballinger to Joan Boerne (L.P. Secretary), 30/7/1954.

52. See A410/B2.11 - Wollheim to M. Ballinger 9/8/1954; *ibid.* 21/7/1954; *ibid.* 10/9/1954; thus too 30/9/1954 Wollheim claimed to be glad that the Transvaal was under financial obligation to the National Committee because "...it weakens their position".

extended to the Congress Alliance as a whole.⁵³ Secondly, it was used to undermine those LP members who campaigned for changes in the Party's constitution. The divisions on the franchise and extra-parliamentary involvement were not necessarily the same, but within the context of the LP leadership struggle were seen as such, and all those campaigning for the deletion of constitutional anti-communism - and who thereby aroused the deepest suspicion of the Party leadership - were grouped together as the 'radical' opposition on all divisive issues. This grouping was highly ironic since anti-communism was a major binding force within the LP, and those members who represented the 'left-wing' of the LP were most often members of the Party precisely because they opposed either communism or the former CP, and accepted the LP assertion that the COD was a 'communist front' as readily as the conservative members.⁵⁴

Initial support for involvement in the C.O.P. came from various elements within the Party. In the Cape, calls for active participation came from Jimmy Gibson and his election agent Peter Hjul who, while initially supportive of the campaign on principle, could equally ill-afford - in terms of their uphill struggle against the COD candidates in the Cape Western elections - to oppose the C.O.P. Natal expressed a general sympathy in favour of co-sponsorship, most clearly pressed by Junod and Meidner. In the Transvaal, those members of the LP who (as with Natal) desired closer relations with the Congresses supported participation and co-sponsorship and included known 'left-wingers' such as Marion Friedmann and Jock Isacowitz. As such, the question of involvement in the C.O.P. became inevitably subsumed in the general struggle between 'left' and 'right' within the Party.

The invitation to co-sponsor the C.O.P., far from tying the LP to a pre-determined plan, made it clear that the Congress was still very much in the planning stage. Only the broad outlines had been settled. These were set out in the 'Plan of Campaign' and in the 'Call to the Congress of the People'. The plan was for Freedom Volunteers to go out into the country and collect the demands of the people; and the hope that by such extensive mobilisation

53. The classic example of this was the reply by Professor Price to the Mandela article mentioned in footnote 9; see Liberation, October 1953.

54. See pp22-23 below.

a local and provincial C.O.P. network would be created. Most significantly, it was made quite clear that the C.O.P. would not consist of representatives sent by formally constituted organisations and political parties, but elected representatives of communities, villages, factories and so on, in order that the C.O.P. would represent the "widest possible cross-section" of the country. As the invitation stated,

We do not intend to put a preconceived "Charter" before a hand-picked "Assembly". We seek rather to canvass the entire country, asking ordinary people everywhere, in every walk of life, to say in their own words what they need to make them free and happy.⁵⁵

Emphasis was placed on the fact of the Charter being abstracted out of the demands of the people, and being ratified by their elected representatives at the Congress itself.

Much, however, remained to be planned and finalised. As the invitation stated, "Let us speak together of freedom". This...sums up the conception we have of the range and purpose of the Congress of the People⁵⁶. The Liberal Party was offered seats on the National Action Council, the policy-making and overall co-ordinating body of the C.O.P. (where the local bodies were working units following the lead of the NAC). Following the NAC invitation, subsequent regional invitations to the LP also offered representation on the various C.O.P. committees. Finally, the NAC invitation was left open until the first day of the Congress itself, a year ahead. The invitation stressed the flexibility of the whole scheme, and thereby highlighted the degree of influence which the LP could have wielded. The invitation, moreover, made it explicitly clear that the LP, as well as having a say in the practical organisation and policy-making side of the C.O.P., would be ideologically free:

In extending this invitation, we make it clear that acceptance of the 'Call' and participation on the National Action Council does not in any way bind your organisation to accept our views - or any other views - of what is freedom. You will remain free to put forward and campaign for your own views. . .⁵⁷.

55 op.cit. NAC invitation, 6.7.1954.

56 ibid.

57 ibid.

The invitation concluded by stating that, were the Liberal Party "undecided or uncertain", the NAC would be happy to meet Party representatives and "discuss the whole proposal in detail"⁵⁸. It is within the context of this very open invitation that the claims of the LP - that they were brought in to make work a plan that had been pre-decided - must be assessed. The invitation had, moreover, cleverly anticipated many of the fears of the LP, in particular that of being 'swamped' by the other Congresses, and thus being denied any effective voice on the NAC (see below); one fear it was impossible to assuage, however, was that engendered by anti-communist suspicion.

An analysis of the reasons for the ultimate non-participation of the LP in the C.O.P. is thus complicated by the blurred distinction between sincere objections and tactical moves, and it is not surprising that an overview of developments during 1954 shows the LP moving in two utterly opposed directions: in public, and certainly as far as the Congresses were concerned, the LP were full participants in the C.O.P. Having accepted participation, the LP met members of the NAC on a number of occasions; members of the Congresses addressed various provincial committees of the LP on the C.O.P., and Pieter Beylveeld, COD National Chairman, addressed the LP National Committee on co-sponsorship (see below). In the Cape, Gibson represented the LP on the Cape Western regional committee of the C.O.P., while Hjul sat on a branch committee; the Transvaal was also represented on the C.O.P. provincial committee (see below).

Privately, however, conservative forces within the LP were doing all they could to ensure non-participation. Between July 1954 and the Executive Committee meeting two weeks before the C.O.P. took place in June 1955, the conservative position gained in strength. A mixture of motives including anti-communist fears, on occasion downright anti-Congress sentiment (see below), and caution regarding the potential radicalism of the Charter, gained wide currency so that the initial rejection of co-sponsorship led inexorably to an outright rejection of all participation in the Kliptown Congress - so that not even a message of support was sent. The victory of the Cape conservatives at the 1954 National Congress binding the LP to parliamentary methods, in effect made co-sponsorship impossible. The 'dress-rehearsal' provided at the IRR conference had made it quite clear that the

⁵⁸ *ibid.*, emphasis added.

universal franchise was certain to be strongly campaigned for by all the Congresses, particularly the ANC. The LP, in essence, was trapped by the decisions taken at the 1954 Congress, and the manoeuvring which attended the Congress. In the long term, the strategic voting by the Cape conservatives - in allowing the conditional universal franchise to go through but stopping any endorsement of extra-parliamentary activities - successfully ensured the marginalisation of the LP in the 1950's. It also ensured the non-participation of the LP in the C.O.P., and made the C.O.P. debate merely an issue in the internal leadership struggle.

Initial Negotiations

Three weeks after receiving the NAC invitation to co-sponsor the C.O.P., the LP delegation met NAC representatives - Oliver Tambo, Yusuf Cachalia and Joe Slovo - to discuss the question of co-sponsorship. At this point the Congresses were still working very much on the basis of direct elections to the C.O.P., and Slovo stressed that election week would be the occasion for political demonstrations across the country. Expressing some scepticism as to whether the Congress would be allowed to go ahead, the NAC delegation argued that the creation of a 'Freedom Consciousness' was the prime object of the campaign. Much planning remained to be done, dates were almost entirely unsettled and many details remained undecided; moreover, as the report of the LP delegation noted,

It was very evident from the discussions that the original sponsors are extremely anxious to get the Liberal Party in as sponsors - they made it quite clear that they wished us to come in so that we could have a hand in what was being decided. Furthermore it is evident that in receiving our support they believe, and probably rightly too, that other organisations will then be more willing to come in.⁵⁹

The LP was offered eight seats on the NAC, the same number as each of the original sponsors, and were inspired by a point made by Tambo, as the report makes quite clear:

⁵⁹ A410/F3.8.3, Marion Friedmann to the National Committee, 5/8/1954.

Mrs Ballinger (with Mrs Friedmann concurring) wishes to draw attention to Mr Tembu's (sic) emphasis on the desirability of adequate European attendance, and his expression of hope that the nature of the Congress would be that of a "National Convention"⁶⁰.

From the outset NAC desire for Liberal co-sponsorship and/or participation led them to invite the LP to attend the NAC meeting in August 1954 as observers. The Liberal Party was given as much time as it required to reach a decision. Tactically this proved very damaging to those LP members campaigning for active participation in the C.O.P. It allowed the conservative members to rally support for non-participation by enforcing the principle of parliamentary rather than extra-parliamentary activities. Understandably, the key LP members to adopt this stance were the elected Native Representatives. To understand the way in which the conservatives managed to convince members to distance themselves from the C.O.P., events need to be assessed in terms of the ways in which they were used to rally support behind Margaret Ballinger - behind whom conservative LP support always rallied - in her bid to distance the LP from the C.O.P. initiative.

The August NAC meeting in Natal demonstrates precisely this. The meeting, at which Junod, Unterhalter and Leo Kuper acted as observers, was subject to a police raid; names were taken and documents seized. Conservative fears raised were not assuaged by reports from the Party observers which emphasised two issues: firstly, that contrary to LP fears the COD were not controlling the C.O.P., and secondly that the Party was being given a visibly less hostile reception than previously by the Congresses. Despite these assurances, taking conservative opinion with her, Margaret Ballinger withdrew from the negotiating team.

Margaret Ballinger raised other objections to the C.O.P. plan which had little to do with those inspired by anti-communist fears. She argued that the whole scheme was unwieldy and impractical, in particular the electoral plan and the collection of demands. She felt that the C.O.P. had been hastily organised, and wrote to Z.K. Matthews advising him to postpone the campaign.⁶¹ Behind her criticisms - echoed by a number of LP members - lay

⁶⁰ *ibid.*

⁶¹ This letter is not included in the Ballinger papers but is referred to, and endorsed, by Wollheim in a letter to Ballinger

her very different conception of a National Convention, i.e. of a 'round table conference' of political parties, working to an agenda, thrashing out an agreed programme. Many Liberals harboured considerable fears of sponsoring a Congress which would produce a Charter far too radical for them to endorse (as was amply demonstrated at the 1954 Congress, and compounded by the evidence of the IRR Conference). The realisation that the LP would not be able to control the final product lay at the core of these objections. This objection was rapidly and publicly taken over by the anti-communists, who built up the expectation of a 'communist manifesto' which would undermine everything the LP stood for (see below).

The LP and the COD

The results of the initial LP/NAC meeting were circulated among the Party's provincial committees, and the LP reply to the NAC was drafted by Marion Friedmann (as above). The reply accepted the electoral plan, stating only that the elections should be clearly democratic so as to attract all "sympathetic bodies" such as the IRR and churches. This they qualified by stating that the LP was "somewhat uneasy" about the Freedom Volunteers⁶². Slovo, at the LP/NAC meeting, had been at pains to explain that the Volunteers were to raise a 'Freedom Consciousness' and to make the people feel they were actively participating in the drawing up of the Charter.⁶³ The LP, however, continually insisted that the collection of 'innumerable grievances' was both unwieldy and pointless. The objection as stated to the NAC reflected the refusal of the LP to accept the central thrust of the C.O.P. In committee the real fears of the Liberals became apparent. Above all it was feared that the Freedom Volunteers (based on the system of Defiance Campaign Volunteers) would be a means of "causing agitation and frustration...the end result might be disturbances which the Party could not control"⁶⁴ - i.e., the LP's basic objection to and fear of extra-parliamentary campaigns. In contrast the LP envisaged a draft Charter sent out to all 'sympathetic bodies' to gain their support. They argued for a

9/8/1954 (A410/B2.11)

⁶² A410/F3.8.3, Marion Friedmann: 'Proposed Letter to the NAC', 5.8.1954.

⁶³ op cit Friedmann to National Committee 5/8/1954.

⁶⁴ A/1671-mfm-Reel 1, minutes of National Committee 30-31/10/1954.

Congress of representatives of formally constituted organisations which would ratify the final Charter. This insistence on the existence of a draft Charter and a Congress of organisations reflected not only their fear of lack of control over the final product, but also a desire to work from the top down. Clearly the LP objections, in the reply to the NAC, amounted to a complete restructuring and reorienting of the C.O.P. The LP letter ended by stating that, were agreement reached over their objections, they would co-sponsor the C.O.P.

The adoption by the NAC of loose organisational representation at the C.O.P., which should have gone some way towards satisfying Margaret Ballinger's objections, was written off by the Liberals as a communist ploy. In a memorandum circulated among LP leaders after attending the C.O.P. meeting in Cape Town's Banqueting Hall in August 1954, the anti-COD bias of conservative members was made clear:

Many of the organisers of the Congress are not really interested in the well-being of the people. They are interested in power. They will use any weapon they can find to further their ends. Most of these men are white. They include lawyers who use the grievances of the African people to make their names as "fighters for the people", deliberately fighting hopeless legal cases to establish themselves - and getting paid handsomely for it. They include men and women who set up bogus organisations as cover for the normal Communist aims... (their aim is) to rig control of the machinery of the Congress, making it a pure Communist front organisation.⁶⁵

In a similar vein many of the objections of Party members such as Margaret Ballinger and Marion Friedmann were 'hi-jacked' and subverted to paint a picture of a communist-dominated, illegal and agitational campaign. The level at which anti-communist sentiment ran within the LP, perhaps overstated in the above quotation, was nonetheless very high, and permeated Liberal Party dealings throughout this period. At a Pietermaritzburg LP branch meeting addressed by the NIC the first question asked was whether there was a "hidden motive" in requesting LP co-sponsorship.⁶⁶ On a police raid of the Banqueting Hall meeting in Cape Town Walter Stanford bluntly stated that "...it could not really be said that it was utterly unreasonable to suspect

⁶⁵ A410/B2.11 - Memo on the C.O.P. Banqueting Hall meeting, CT, by Arden Winch, 18/8/1954.

⁶⁶ A/1671-mfm-Reel 1, Minutes of joint Pietermaritzburg/Edendale L.P. branch meeting, addressed by NIC delegation, 12/10/1954.

crimes under the Criminal Law Amendment Act in that group of people".⁶⁷ Liberal Party association with the C.O.P. meant that they were tangentially exposed to the sort of police harassment that COD members had suffered from the time their organisation had been launched. Many Liberals expected the C.O.P. to be banned. Others saw LP participation as downright dangerous in that it invited the State to take action against the Party. Oscar Wollheim admitted to Margaret Ballinger that he was "frankly frightened"⁶⁸; Stanford stated that: "I think it is frightfully dangerous to come in at a late stage such as this when we have not, and as I see it will not get, any real control over this organisation".⁶⁹

The 'anti-communism' fear was coupled with a fear that the LP would not be able to control or direct the C.O.P. campaign, and translated into the late entry of the Party. From the evidence this argument was unfounded but was used by different members for various reasons. Peter Brown, then Natal LP Secretary, merely asked why the LP had been asked in late to make work an existing plan⁷⁰; for Stanford, Wollheim and others, however, the issue revolved around the question of control. Wollheim stated openly that the whole issue "boils down to whether we can achieve real leadership in the C.O.P. or not"⁷¹. This in turn devolved to a straightforward anti-COD argument. According to Stanford, "the COD wants the kudos as fighters for freedom and democracy (for) themselves alone... (they) are no friends of the LP...and will try to damage it if they can".⁷²

Ultimately the LP's insistence that the COD were controlling the C.O.P. compounded the fear that any LP influence - let alone control - would be impossible because the COD, it was argued, would somehow disallow it. The efforts of the Cape members who argued for participation were translated by Walter Stanford as the work of "(o)ur more left inclined" who felt it to be

⁶⁷ A410/B2.11, Walter Stanford to M. Ballinger, 17/8/1954.

⁶⁸ A410/B2.11, Wollheim to Ballinger, 21/8/1954.

⁶⁹ op.cit Stanford to Ballinger.

⁷⁰ A/1671-mfm-Reel 1: Minutes of the National Committee meeting, October 30-31, 1954.

⁷¹ op.cit Wollheim to Ballinger 30/9/1954.

⁷² op.cit. Stanford to Ballinger.